

RISK WARNING, WAIVER & INDEMNITY

Atalanta Moreau and Mooloolah Valley Riding Centre (together and individually known as 'the Provider') and the Provider's employees, agents and contractors warn the rider and the rider's parent/guardian whose signatures appear below that:

1. A horse is a large, heavy, herdal animal, a creature of flight and can react without warning. It has highly developed senses of hearing, sight and smell, which can make its behavior towards sounds, sudden movement, and unfamiliar objects, people or other animals (including kangaroos and snakes), unpredictable and potentially harmful to the rider.
2. A horse can bite, bolt, buck, fall, jump, kick, pig-root, rear, roll, shy, slip, stumble, or stand on you, while you are on or near it ('Risks'). The Risks increase if more than one horse is handled/ridden at the same time eg in an arena; the horse is ridden cross country or over natural or man made jumps; other riders/handlers are unable to control their horses safely for want of skill/experience; other riders/handlers fail to obey applicable rules or are negligent; the condition of the venue or terrain is affected by weather; unrelated recreational or other activities are conducted nearby; or the horse is lead on to or off a float or truck.
3. The rider and parent/guardian are specifically warned of the following occurrences on the property or adjoining properties, which can increase the Risks: dogs on the loose; vehicular transport, including trucks and motorcycles, travelling along roads; movement/operation of tractors and other farm machinery and equipment; trail bikes and their riders in the forest; and canoes on the lagoon.
4. Because of the Risks, the rider will be exposed, by riding and/or handling a horse, to the possibility of death, serious personal injury or disability (including paralysis and brain injury) or lesser injury, even if he/she acts safely and wears an approved riding helmet and healed boots.

In return for permitting the rider to participate in the Provider's horse related activities ('Activities'), the parent/guardian, the parent's/guardian's spouse, domestic partner and next of kin and the owner of the horse ('You') (all for whom the parent/guardian enters this agreement as agent and trustee) agree with the Provider, its employees, agents and contractors (all for whom the Provider enters this agreement as agent and trustee) as follows:

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- 5. The rider rides and/or handles the horse at his/her own risk.
- 6. The Provider, its employees, agents and contractors will not be liable for any harm (as defined in the *Civil Liability Act 2003 (Qld)*) to the rider or the death of or injury to the rider's horse because of:
 - (a) a breach of an express or implied warranty or condition that the Activities will be rendered with reasonable care and skill;
 - (b) a breach of a warranty implied by section 74 *Trade Practices Act 1974 (Cth)*;
 - (c) the negligence or default of the Provider under the general law; or
 - (d) the materialisation of any of the Risks.
- 7. You will not make any claim or bring any legal action in your name(s) or on behalf of the rider (whom You warrant is under no mental or physical disability) against the Provider, its employees, agents or contractors for any liability excluded by clause 6.
- 8. You will indemnify the Provider, its employees, agents or contractors against all expenses, losses, liabilities, damages and legal costs that it or they sustain or incur by reason of any future legal claim or action by or on behalf of the rider or owner of the relating to any harm to the rider or the death of or injury to the rider's horse.

THE RIDER AND PARENT/GUARDIAN HAVE READ THIS DOCUMENT AND UNDERSTAND THAT BY SIGNING THIS DOCUMENT, IMPORTANT LEGAL RIGHTS ARE GIVEN UP

_____ Rider's signature	_____ Parent's/guardian's signature	_____ For the Provider
_____ Rider's name in letters	_____ Parent's/guardian's name in letters	Dated: