

TERMS AND CONDITIONS - MEMBER

Name:

Address:

Date of Birth:

In consideration of Eastern Suburbs Cycling Club (the **Club**) accepting my application for membership, or my renewal of membership for the relevant calendar year, I AGREE:

- to be bound by the rules of the Club as set out in the Club's Constitution; and
- to be bound by these Terms and Conditions when participating in any cycling event organised, conducted, or promoted by the Club (a **Cycling Event**).

1. Preliminary

- 1.1 I will ride in a safe and responsible manner at all times.
- 1.2 I will wear a cycling helmet that meets Australian standards at all times.
- 1.3 I will comply with the Australian Road Rules as they apply to cyclists.
- 1.4 I will comply with all reasonable directions given to me by a representative of the Club.
- 1.5 I acknowledge that I am responsible for taking out cover in the form of personal accident and public liability insurance.

2. Assumption of Risk (RiskWarning)

2.1 I acknowledge that cycling in any form (either on roads, on paths or tracks, and whether on a road bicycle, a mountain bike or any other type of bicycle) can be a dangerous activity and involves inherent risk. The risks associated with participating in a Cycling Event include but are not limited to: riding in a bunch with persons of varying degrees of skill; riding on poor quality road or track surfaces; riding on congested public roads; falling off the bike; colliding with another cyclist; or colliding with another user of the road or track; and cycling in remote areas; as well as the physical exertion for which I may not be prepared; riding in poor weather conditions.

2.2 I am aware of the risks referred to in clause 2.1 and I also acknowledge that cycling accidents causing death, bodily injury, disability, property damage and economic loss can and do happen to any cyclist, at anytime, anywhere. I acknowledge that I participate in a Cycling Event at my own risk.

2.3 I am responsible for ensuring that: I have adequately and appropriately prepared myself both physically and mentally; and that my bike is in sound mechanical order before participating in a Cycling Event.

3. Exclusion of Liability

To the maximum extent permitted by law, under no circumstances will the Club, its officials, servants, representatives, agents and sponsors (or any of their respective representatives), be liable for my death, personal injury, loss or damage (including loss or damage to property) in any way caused, which may be sustained or incurred by me as a result of participating in a Cycling Event.

4. Release

With effect on and from the date of these Terms and Conditions, I release and discharge the Club, its officials, servants, representatives, agents and sponsors (and any of their respective representatives), from all claims and liabilities of any nature that I may suffer or incur arising from or in connection with or incidental to my participation in a Cycling Event.

5. Indemnity

5. I indemnify the Club, its officials, servants, representatives, agents and sponsors (and any of their respective representatives), against any claim, loss, damage, liability, cost and expense that may be incurred or sustained by the Club, its officials, servants, representatives, agents and sponsors (and any of their respective representatives), caused by or arising out of any act, matter or thing done, permitted or omitted to be done by me in a Cycling Event.

6. Other

6.1 The Club reserves the right, in its absolute discretion, to refuse an application for membership, or a renewal of membership.

6.2 These Terms and Conditions contain the entire agreement between the parties with respect to its subject matter. It sets out the only conduct relied on by the parties and supersedes all earlier conduct and prior agreements and understandings between the parties in connection with its subject matter.

6.3 These Terms and Conditions are governed by the laws of New South Wales. Each party submits to the jurisdiction of courts exercising jurisdiction there, and waives any right to claim that those courts are an inconvenient forum.

Signed: _____

Print name:

Dated: _____