

LIABILITY WAIVER

The paragraphs on this page shall be considered an integral part of all agreements entered with EFOIL.FUN (abbreviated as "EFF" in the following text). By purchasing any nautical rental services from EFF, you accept to be bound by this liability waiver agreement as a customer.

PARTICIPANT AGREEMENT, RELEASE AND ASSUMPTION OF RISK:

Efoiling is a demanding activity which requires an extreme amount of attention, judgement, maturity and self-discipline. It is unlikely that you will be able to participate in it safely unless you **make a conscious and continual commitment to your own safety**. This potentially dangerous activity may result in injury and death even when practiced.

In consideration for being permitted to participate I hereby agree as follows:

1. I hereby **RELEASE AND DISCHARGE EFOIL.FUN**, it's owners, agents, employees, instructors, pilots, monitors, assistants and the owners of the equipment, **FROM ANY AND LIMITED TO LOSSES CAUSED BY THE NEGLIGENCE OF THE RELEASED PARTIES**
2. I further agree that **I WILL NOT SUE OR MAKE A CLAIM** against the released parties for damages or other losses sustained as a result of my use of these sports products and my participation in sports activities
3. I also agree to **INDEMNIFY AND HOLD THE RELEASED PARTIES HARMLESS** from all claims, judgements and costs, including attorney fees, incurred in connection with any action brought as a result of my use of sports products and my participation in sports activities
4. I understand and acknowledge that sports products and activities have inherent dangers that no amount of care, caution, or instruction, or expertise can eliminate and **EXPRESSLY AND VOLUNTARILY ASSUME ALL RISK OF DEATH OR PERSONAL INJURY SUSTAINED WHILE PARTICIPATING IN SPORTS ACTIVITIES WHETHER OR NOT CAUSED BY THE NEGLIGENCE OF THE RELEASED PARTIES**
5. **I HAVE BEEN ADVISED AND RECOGNIZE THAT THE SPORTS PRODUCTS AND MY SPORTS ACTIVITIES ARE NOT COVERED BY ANY PERSONAL ACCIDENT OR GENERAL LIABILITY INSURANCE POLICY OF THE RELEASED PARTIES**
6. I understand that the sports products have not been designed, manufactured or tested to any federal or state government sporting standards or regulations. **I AM WILLING TO PERSONALLY ASSUME ALL RISKS IN THE SPORT, ALL RESPONSIBILITY FOR ANY PROPERTY DAMAGE, INJURY, OR DEATH WHICH MAY RESULT FROM MY USE OF THE SPORTS EQUIPMENT**
7. I hereby expressly recognize that **THIS AGREEMENT AND RELEASE OF LIABILITY IS A CONTRACT** pursuant to which I have released and any claims against the Released Parties resulting from my use of sports products and participation in sports activities including any and claims caused by the negligence of the Released Parties
8. **I AGREE TO BE FINANCIALLY RESPONSIBLE FOR ANY EQUIPMENT DAMAGED** during my training if the equipment is not owned by me

9. Releasor expressly agrees that this release, waiver, and indemnity agreement is intended to be as broad and inclusive as permitted by the laws of Italy and that, if any portion of the agreement is held invalid, it is agreed that the balance shall, notwithstanding, continue in full legal force and effect
10. Releasor releases all official and professional personnel from any claim whatsoever on account of first aid, treatment, or service rendered releasor during participation in any of the above-mentioned products and activities
11. This release contains the entire agreement between parties to this agreement and the terms of this release are contractual and not mere recital

DISCLAIMER

EFOIL.FUN may terminate or suspend all services without prior notice or liability, for any reason whatsoever, including without limitation if you breach our terms of service as explained in this waiver and by EFF staff.

I HAVE READ THIS AGREEMENT AND RELEASE OF LIABILITY. I FULLY UNDERSTAND IT'S CONTENTS AND MEANING, AND SIGN IT OF MY OWN FREE WILL.

Name: _____

Address: _____

City: _____ State: _____

Zip Code: _____ Country: _____

Email: _____

Phone Number: _____

Signature: _____ **Date:** _____

With kind regards.
Your EFOIL.FUN team