**Kayak Loan Agreement at Arrowdale Holiday Cottage**

I understand that:

Kayak/s

* Should only be used by a competent and experienced open water swimmer.
* Should not under any circumstance be left unattended.
* Should not be used by an unaccompanied child
* Should not be used in moderate to strong winds, inclement or poor weather or unsuitable sea conditions.
* Should not be used without the correct clothing and accessories for that particular watersport.

I confirm that:

* I will assess all weather and sea conditions and confirm I am completely satisfied that the conditions are safe for me.
* I take complete and full responsibility for my safety and others whilst using or transporting the equipment.
* I take full responsibility for either intentionally or unintentionally allowing any other person of any age or ability the use of this equipment.
* I have myself undertaken a full and detailed inspection of the equipment and I am completely satisfied that it is safe and suitable to be used as required.
* I agree that I have enough experience to have undertaken a clear and detailed risk assessment of all potential risks involved and I take full responsibility for satisfying myself that I am safe to continue with the watersport at all times.
* I am fully responsible for any theft or damage while the equipment is under my hire whether the equipment is locked in a secure area or not.

**Assumption of Risk**:
I understand and accept that borrowing Kayaks from Clare Lumsden and participating in the water activities exposes me to many hazards and entails unavoidable risk of death, personal injury (including but not limited to severe spinal or head injury) and loss of or damage to property. I also understand I should be in good physical health to participate in Kayaking or any other watersport. I choose to participate in Kayaking in spite of these risks and hereby assume all risk of injury or loss of life to myself and loss of or damage to property arising out of using this equipment. I understand the inherent risk involved in using this equipment and accept full responsibility for any and all such damage or injury which may result.

**Waiver & Release**:
In consideration of Clare Lumsden loaning me this/these kayak/s, I specifically release and forever discharge her from any and all liability or claims for injury, illness, death or loss of or damage to property which I may suffer while using this equipment. This discharge specifically includes, but is not limited to, liability or claims for injury, illness, death or damaged caused by the negligence of Clare Lumsden. It is my intent by this agreement to release her from all liability for any such property loss or damage, personal injury or loss of life, whether caused by negligence of Clare Lumsden or whether based upon breach of contract, breach of warranty, or any other legal theory.

In reading and signing this document, I fully recognize that if injury, illness, death or damage occurs to me or any third party while I am engaged in using or transporting any loaned equipment, I will have no right to make a claim or file a lawsuit against Clare Lumsden even if she negligently causes my injury, illness, death or damage.

I accept that I am responsible for the replacement value of the equipment if, stolen or lost or the cost of repair if damaged. I understand that I have sole responsibility during my usage and that insurance cover is my responsibility.

I have carefully read this agreement and understand its content. I am aware this is an assumption of risk, waiver and release of liability and I agree to it voluntarily. I understand that it is highly recommended that buoyancy aids (provided to me alongside the kayak/s) should be used when kayaking and that I should not and may not participate in this activity if I am under the influence of alcohol or drugs or feeling unwell in anyway.

Placing an X here …………… denotes that this document has been read and signed by the person named below.

Name:

Date:

For information regarding health and safety: <https://www.rei.com/learn/expert-advice/getting-started-kayaking.html>