

## Sea-kayaking and Evening penguin tour combo Risk Disclosure and Acceptance.

- In any adventure activity there is an element of risk. I acknowledge that the activity I am about to embark on may present a higher level of risk than day-to-day living. Because this is a dynamic activity, the actions of every participant will have direct and indirect effects on the safety and enjoyment of the whole group.
- You accept that Pōhatu penguins/plunge NZ Ltd through its guides will take every practicable step to ensure your safety and agree to cooperate (following advice/orders, wearing a lifejacket at all times...) But you understand and accept full responsibility for your own actions or inaction and that you might be removed from the activity and will not be receiving a refund if you do not comply to the instructions and rules.
- Sea-kayaking: I am aware that participating in the 4WD sea-kayaking safari offered by Pōhatu penguins/plunge NZ Ltd can be hazardous if they are not conducted with care, control, and responsibility. I acknowledge that these risks could result in my injury (physical or mental) or even death.
  - I accept that this activity inherently involves risks and potential hazards. The risks and hazards include but are not limited to, tripping and falling while carrying kayaks, capsizing, becoming hypothermic, drowning, and becoming hyperthermic.
- Penguin tour: There are 2 grades of tracks to the hides and an end-viewing platform to see penguins. Although the track to the main hides is an easy contour, it traverses steep rocky hillside and is narrow with steps in places that may cause stumbling resulting in injury. A second track beyond the hides to our end-viewing platform should only be attempted by the more agile. There is a danger of serious harm from slipping, tripping and falling from this track.
  - I consider that I am physically and mentally able to sustain the level of exertion resulting from walking for two kilometres on a dirt path with steps on such a track.
  - I accept that this activity inherently involves risks and potential hazards. The risks and hazards include but are not limited to, tripping and falling.
- For the above reason and the safety of the trip it is important that you provide a complete account of your medical history: existing or pre-existing health conditions, prior injuries (especially shoulder/back/wrist), and any medications that may affect your capacity to participate in this activity.
- Due to the rugged and remote setting of this activity, access to hospital and medical facilities is limited. By signing below, you are giving consent for the administration of medical treatment by the operator/guide and medical personnel in an emergency.
- I understand that if I act recklessly or intentionally, and do not follow rules or instructions set out by Pōhatu penguins/plunge NZ Ltd and its guide, which I have been made aware of, Pōhatu penguins/plunge NZ Ltd will not be held responsible for any injury, damage, or loss I cause to myself/my property, or another person/their property, resulting from my action (or lack of action).
- If I damage any of the clothing or equipment, or other property owned by Pōhatu penguins/plunge NZ Ltd or a landowner, I agree to pay to Pōhatu penguins/plunge NZ Ltd (or the landowner) all costs associated with repairing the damage.
- I confirm I am not under the influence of intoxicating alcohol or drugs (be they legal or illegal) which may in any way impair my ability to undertake the activity.
- I give Pōhatu penguins/plunge NZ Ltd permission to send me emails and/or posts relating to Pōhatu penguins/plunge NZ Ltd events and promotions, as well as the right to use all photos and videos of me taken during the activity for promotional and social media purposes.
- I understand that, due to changing conditions, trips can vary and will be conducted to suit current conditions. Pōhatu penguins/plunge NZ Ltd reserves the right to alter or abort trips anytime should the conditions or other reasons make this necessary. I understand that the sea and weather conditions can change anytime and quickly and despite consulting various weather forecasts Pōhatu penguins/plunge NZ Ltd cannot foresee unpredicted weather changes. If a kayaking trip must be cancelled because of an unexpected wind change or tsunami warning on arrival at Pōhatu after the scenic 4WD van safari has been undertaken three options would be offered. An immediate return with a 50% refund and no further wildlife guiding can be expected to see penguins or other wildlife. Our Full Scenic Nature Safari (same price, same length of time as the sea-kayaking safari or our 2-hour Nature tour safari at \$65.00 per person can be undertaken to see penguins and other wildlife.
- I have read, understood, and accepted all the terms presented to me and wish to proceed with the activity at my own risk.