



## LIABILITY WAIVER & INDEMNITY

### READ BEFORE SIGNING

I, the undersigned (hereinafter referred to as the "participant") desire to use the facilities and engage in the karting and other activities of **SPEED BAY** at No. 162/F, Maithree Mawatha, Walgama, Bandaragama (hereinafter referred to as the "SB").

I hereby warrant and represent to **DAVID PIERIS RACING & LEISURE (PRIVATE) LIMITED (PV 121905)** - the owners of the SB (hereinafter referred to as the Company"), the event sponsor, all operators and users of the SB that I am in a fit, proper and adequate physical and mental condition to participate in kart driving/racing.

I am fully aware of the risks associated with kart driving/racing, that it is an inherently dangerous activity with high propensity for accidents and injury, that injuries are foreseeable, common and an ordinary occurrence and I freely and voluntarily undertake and participate in full knowledge and conscious acceptance of all such risks.

I hereby release and fully indemnify the Company its directors, employees and the event sponsor, the operators, all agents, representatives, equipment/site owners and manufactures from any liability, including liability for property damage and or personal injury or death to myself and/or any other person, resulting from my participation in the said activity and or the selection, maintenance, or use of the Company's and/or the event sponsor's equipment and facilities and in respect of or arising from any claim based upon negligence, breach of warranty, contract or other grounds.

I accept for myself the full responsibility for any such death, injury, damage which may result from the use of kart and/or safety gear or other equipment either rented from the Company or brought by me, and I hereby release and discharge the Company, its directors, employees, the event sponsor, the operators and all agents, representatives, equipment/site owners and manufactures of any loss/damage/injury caused as a result of and/or consequence of the use of such kart and/or safety gear or other equipment.

I confirm that I am fully aware with the following important instructions.

### IMPORTANT INSTRUCTIONS

1. Karting is a form of motorsport with the known dangers of the sport and participation in karting can result in injuries to the participants. Records of karting show that karting related injuries to participants in the event of an accident include injuries arising out of hair or clothing (including scarves) etc. getting caught in rotating parts of the kart. Other types of injury related accidents include overturning of the kart, accident between two or more karts, crashing through tyre barriers hitting walls and other objects, engines catching fire etc. Other types / causes of accident may also occur. Injuries can be of a serious nature leading to permanent disability or death.
2. Use of the SB is at sole risk and responsibility of the participants. Karting activities are not suitable for personnel with a history of heart attack, high blood pressure, back problems, acute asthma or other breathing difficulties and epilepsy. Pregnant ladies are strictly advised to refrain from participating in the karting activities.
3. It is a compulsory requirement of the SB, that all participants wear helmets and any other necessary safety items which comply with the recognized safety standards while driving karts. Any participant who does not comply with this requirement would not be permitted to drive at the SB.
4. In the event of hair or any part of clothing getting entangled with any part of the kart and in the event of the entangled material requiring to be cut to facilitate disengagement of the participant from the kart, the same will be proceeded with no consideration to damage, loss or embarrassment of the participant.
5. The management of the SB has the sole discretion to refuse any individual / customer / member from driving a kart or discontinue his / her driving while on the karting track due to dangerous driving or for non-compliance with any rules and instructions. In these circumstances, there will be no refund of any payments made to the Company.
6. Participants are required to follow the recommended safety dress code while driving karts.  
**Safety dress code:** Trousers ankle length, shoes with socks, balaclava, full faced helmet with clear visor, neck brace, long sleeved shirt, quilted type of jacket and gloves. If any safety items are brought by the participant, at his/her discretion, he/she shall ensure that all such items are complied with recognized safety standards.

7. If any kart is brought by the participant, he/she shall ensure that such kart is in good order and condition as recommended, provided however that Company at its sole discretion, have the right to refuse such kart from entering the premises of SB.
8. Participants are requested to refrain from pressing the accelerator and brake simultaneously as same would cause damage to the clutch and engine.
9. In case any participant is compelled to stop on the karting track, he/she should gradually slide away from the racing line and raise one hand to warn the other participants.
10. If any participant experiences a technical problem or any other issue, he/she shall stay in the kart and raise both hands.
11. In the event any damages are caused due to participation in karting, the sole responsibility rests with the participant to make good of such damage to the relevant party. All settlement to the Company should be made in full immediately by cash or credit card.
12. Deliberate knocking of karts and crashing into each other is strictly forbidden and is considered reckless driving. Any participant found to be driving recklessly will be requested to leave the SB immediately and may not be permitted to drive/race at SB in the future.
13. By signing this document, the participant agrees to the settlement of all dues pertaining to damages that may occur due to his/her negligent behavior.
14. Participants are required to:
  - Learn and obey all flag signs
  - Read and comply with all notices displayed at the SB
  - Obey Marshal's instruction immediately
  - Not eat, drink or smoke in the karting track and pit area
  - Not to be under the influence of alcohol or drugs
  - Be at a Height at least 1.2 meters (for 6-12 years) and 1.4 meters (for adults)
  - Be aware that accelerator is on the right and the brake is on the left.
  - Remain seated at all times until instructed by a marshal/ official to get off the kart
  - Keep hands and feet inside the kart at all times
15. In case the participant detects any illness/disqualification after signing this document, the participant shall declare the same to the SB and refrain from using the facilities of SB.
16. By signing this document, the participant agrees that the Company or its representative reserves the right to use any digital content (images or videos) captured within SB, for promotional use.

I have signed these presents, having read over and understood the content hereof *freely and voluntarily* without any inducement, assurance or guarantee being made to me and intend my signature to be *a complete and unconditional release of all liability* to the greatest extent permitted by law.

## DECLARATION

Date: ...../ ...../ .....

I, the undersigned desire to use the facilities of Speed Bay, owned by David Pieris Racing & Leisure (Private) Limited subject to the provision set out in "Liability Waiver & Indemnity" form (see above) executed by me at the registration and re-iterate specifically the indemnity given in favour of David Pieris Racing & Leisure (Private) Limited.

Driver Name	NIC/Passport No	Signature

**Motorsport is dangerous, and I accept all attended risks and liabilities!**