

RELEASE OF LIABILITY & ASSUMPTION OF RISK

THIS AGREEMENT CONTAINS PROVISIONS WHEREBY YOU SURRENDER CERTAIN LEGAL RIGHTS- PLEASE READ CAREFULLY

In consideration of, and as payment for the right to participate in this stay in Kwe Kwe game farm, and the activities, services, arranged for him by Kwe Kwe game farm and its agents or associates, the guest ("Releaser"), agrees and on behalf of any minors accompanying me agrees to hold Kwe Kwe game farm and Allimpex CC, its officers, owners, employees and/or suppliers ("Releasees"), harmless for any accidents, claims, losses, damages or liabilities, including death, disability, injury, or loss or damage to Releaser or Releaser's property, which might occur. The guest expressly assumes any and all risks with respect to the activities and circumstances described herein, and pledge not to sue Releasees on account of any losses, claims, costs, liabilities or damages, and further, he agrees not to claim the unenforceability of this Agreement. He agrees that the foregoing obligation shall be binding upon him personally, as well as upon his heirs, executors and administrators, and members of his family, and shall also be binding upon any minors accompanying him.

Meaning of the Indemnity form

The insurance company « COMPASS INSURANCE COMPANY LIMITED » is requesting that all the guest who want to stay on KWEKWE game reserve read and accept the content of the indemnity. If the content of the indemnity is not accepted, we are not covered in case of an accident on the farm and this means also that YOU are not covered. This is unacceptable and unfortunately we would not be able to give you access to the farm.

What does the content of the indemnity form means. It means that in case of an accident due to a gross negligence from our part, our employees or anybody working on the farm, while you are enjoying your stay on the farm, there is a great chance that the insurance company or a court of law will determine that you should be compensated. For example: We decide to clear the bush by the mean of a controlled fire. We decide to do that on a day there is a lot of wind and when there are guests on the farm and your car catches fire because the fire became uncontrolled. Or, we leave a few standing wooden poles at the entrance of the game room, a kid passes and bangs into the poles that fall and hurt somebody. In these cases we should be declared responsible for the damages and you should be compensated.

BUT we are not responsible if you decide to drive on the farm with your bakkie with kids at the back in the open air at 60 km/h and you have an accident, or you leave your kids unattended around the swimming pool or our dams and an accident happens, or you are driving on the farm and a zebra jumps in your windscreen we are not responsible because the damage was caused by an untamed animal (a tamed animal is the farm dog or a horse; untamed animals are, for example, a wildebeest, a snake, a spider, or an impala)). In other words, if by YOUR actions you put yourself or others in danger and are victim of an accident, or do not follow our written or oral instructions, we are not responsible and cannot be sued in court

If an accident happens due to a gross negligence from our part we should be declared responsible and the insurance should compensate you.