

Release of Liability/Assumption of Risk/Non-Agency Acknowledgment Form

PADI SWIM, DISCOVER MERMAID, SKIN DIVER AND DISCOVER SNORKELING PROGRAMS, COURSES, EXPERIENCES AND RELATED ACTIVITIES LIABILITY RELEASE AND ASSUMPTION OF RISK AGREEMENT

Please read carefully and fill in all blanks before signing.

Non-Agency Disclosure and Acknowledgment Agreement

| I understand and agree that the facility through which this program is offered, and its associated staff, are licensed to use various SAI and |
|--|
| PADI Trademarks and to conduct SAI and PADI training, but are not agents, employees or franchisees of Starfish Aquatics Institute, Inc. |
| ("SAI") or PADI. I further understand that these business activities are independent, and are neither owned nor operated by SAI nor PADI, |
| and that while SAI establishes the standards for PADI Swim Programs, and PADI establishes the standards for PADI snorkeling, skin diving |
| and Discover Mermaid training, neither SAI nor PADI is responsible for, nor do they have the right to control, the operation of the facility's |
| business activities and the day-to-day conduct of its swim/snorkeling/skin diving or Discover Mermaid programs/experiences and/or related |
| activities. I further understand and agree on behalf of myself, my heirs and my estate that in the event of an injury or death during this |
| program, neither I nor my estate shall seek to hold SAI or PADI liable for the actions, inactions or negligence of |
| (PADI Swim School, PADI Dive Centre or PADI Dive Resort Name) and/or the instructors associated with its swimming/ |
| snorkeling/skin diving or Discover Mermaid programs/courses/experiences and/or related activities. |

Liability Release and Assumption of Risk Agreement

| I am aware that participation in swimming/snorkeling/skin diving and Discover Mermaid programs/courses/experiences and tivities has inherent risks that may result in serious injury or death. I understand and agree that neither the instructor(s), no | |
|--|----------------|
| | wim School, |
| subsidiary corporations ("PADI"), nor any of their respective employees, officers, agents, contractors or assigns (hereinafter re "Released Parties") may be held liable or responsible in any way for any injury, death or other damages to me, my child, my fatheirs or assigns that may occur as a result of participation in this program/course/experience and/or related activities or as a negligence of any party, including the Released Parties, whether passive or active. | amily, estate, |
| I, (Parent/Participant), on behalf of myself as a participant in a swimm ing/skin diving/Discover Mermaid program/course/experience and/or related activity and/or on behalf of my participating (Child's Name), acknowledge, understand and confirm that: | _ |

- In consideration of being allowed to participate in this program/course/experience and/or related activity, I hereby personally assume all risks of this program/course/experience and/or related activity, whether foreseen or unforeseen, that may befall me/my minor child while a participant in this program/course/experience and/or related activity, including, but not limited to, the academics, confined water and/or open water activities.
- I/my minor child am/is in good health and have/has no physical condition that that would prevent participation in this program/course/experience and/or related activity. I understand that past or present medical conditions may be contraindicative to participation in the program/course/experience and/or related activity. I affirm that I/my minor child am/is not currently suffering from a cold or congestion or have an ear infection. I affirm that I/my minor child do/does not have a history of seizures, dizziness or fainting, or a history of heart condition (e.g. cardiovascular disease, angina, heart attack). I further affirm that I/my minor child do/does not have a history of respiratory problems such as emphysema or tuberculosis. I affirm that I/my minor child am/is not currently taking medication that carries a warning about any impairment of my physical or mental abilities.
- Swimming/snorkeling/skin diving and Discover Mermaid programs/courses/experiences and/or related activities are physically strenuous activities and that I/my minor child will be exerting myself/him or herself during this program/course/experience and/or related activity, and that if I/my minor child am/is injured as a result of heart attack, panic, hyperventilation, drowning or any other cause, that I expressly assume the risk of said injuries and that I will not hold the Released Parties responsible for the same.

| I am of lawful age and legally competent to sign this liability release agreement. I understand the terms herein are contractual not a mere recital, and that I have signed this Agreement of my own free act and with the knowledge that I hereby agree to my legal rights. I further agree that if any provision of this Agreement is found to be unenforceable or invalid, that provision shad never been contained herein. | | | | |
|--|---|--|--|--|
| • I understand and agree that I am not only giving up my right to sue the Released Parties or beneficiaries may have to sue the Released Parties resulting from participant death. I furtand that my heirs, assigns, or beneficiaries will be estopped from claiming otherwise becaparties. | her represent I have the authority to do so | | | |
| I, (Parent/Participant), by this instrument agree t fessional staff providing this swimming/snorkeling/skin diving or Discover Mermaid program/c Starfish Aquatics Institute, Inc., PADI Americas, Inc., and all related entities as defined above, fr for personal injury, property damage or wrongful death however caused, including but not limities, whether passive or active. | ourse/experience and/or related activities , om all liability or responsibility whatsoever | | | |
| I have fully informed myself and my heirs of the contents of this liability releasi and the non-agency disclosure and acknowledgment agreement by reading myself, my minor child and all heirs. | | | | |
| | | | | |
| | | | | |
| Participant Signature | Date (Day/Month/Year) | | | |
| Signature of Parent/Guardian (where applicable) | Date (Day/Month/Year) | | | |











Diver Medical | Participant Questionnaire

Recreational scuba diving and freediving requires good physical and mental health. There are a few medical conditions which can be hazardous while diving, listed below. Those who have, or are predisposed to, any of these conditions, should be evaluated by a physician. This Diver Medical Participant Questionnaire provides a basis to determine if you should seek out that evaluation. If you have any concerns about your diving fitness not represented on this form, consult with your physician before diving. If you are feeling ill, avoid diving. If you think you may have a contagious disease, protect yourself and others by not participating in dive training and/or dive activities. References to "diving" on this form encompass both recreational scuba diving and freediving. This form is principally designed as an initial medical screen for new divers, but is also appropriate for divers taking continuing education. For your safety, and that of others who may dive with you, answer all questions honestly.

Directions

Complete this questionnaire as a prerequisite to a recreational scuba diving or freediving course.

Note to women: If you are pregnant, or attempting to become pregnant, do not dive.

| 1 | I have had problems with my lungs, breathing, heart and/or blood affecting my normal physical or mental performance. | Yes □ Go to box A | No 🗆 |
|----|---|--------------------------------|------|
| 2 | I am over 45 years of age. | Yes □ Go to box B | No 🗆 |
| 3 | I struggle to perform moderate exercise (for example, walk 1.6 kilometer/one mile in 14 minutes or swim 200 meters/yards without resting), OR I have been unable to participate in a normal physical activity due to fitness or health reasons within the past 12 months. | Yes □* | No 🗆 |
| 4 | I have had problems with my eyes, ears, or nasal passages/sinuses. | Yes □ Go to box C | No □ |
| 5 | I have had surgery within the last 12 months, OR I have ongoing problems related to past surgery. | Yes □* | No □ |
| 6 | I have lost consciousness, had migraine headaches, seizures, stroke, significant head injury, or suffer from persistent neurologic injury or disease. | Yes □ Go to box D | No □ |
| 7 | I am currently undergoing treatment (or have required treatment within the last five years) for psychological problems, personality disorder, panic attacks, or an addiction to drugs or alcohol; or, I have been diagnosed with a learning or developmental disability. | Yes □ Go to box E | No 🗆 |
| 8 | I have had back problems, hernia, ulcers, or diabetes. | Yes □ Go to box F | No 🗆 |
| 9 | I have had stomach or intestine problems, including recent diarrhea. | Yes □ Go to box G | No □ |
| 10 | I am taking prescription medications (with the exception of birth control or anti-malarial drugs other than mefloquine (Lariam). | Yes □* | No 🗆 |
| | | | |

Participant Signature If you answered NO to all 10 questions above, a medical evaluation is not required. Please read and agree to the participant statement below by signing and dating it. Participant Statement: I have answered all questions honestly, and understand that I accept responsibility for any consequences resulting from any questions I may have answered inaccurately or for my failure to disclose any existing or past health conditions. Participant Signature (or, if a minor, participant's parent/guardian signature required. Date (dd/mm/yyyy) Participant Name (Print) Birthdate (dd/mm/yyyy)

* If you answered YES to questions 3, 5 or 10 above OR to any of the questions on page 2, please read and agree to the statement above by signing and dating it AND take all three pages of this form (Participant Questionnaire and the Physician's Evaluation Form) to your physician for a medical evaluation. Participation in a diving course requires your physician's approval.

Participant Name Birthdate

(Print) Date (dd/mm/yyyy)

Diver Medical | Participant Questionnaire Continued

| BOX A – I HAVE/HAVE HAD: | | |
|---|--------|------|
| Chest surgery, heart surgery, heart valve surgery, an implantable medical device (eg, stent, pacemaker, neurostimulator), pneumothorax, and/or chronic lung disease. | Yes □* | No □ |
| Asthma, wheezing, severe allergies, hay fever or congested airways within the last 12 months that limits my physical activity/exercise. | Yes □* | No □ |
| A problem or illness involving my heart such as: angina, chest pain on exertion, heart failure, immersion pulmonary edema, heart attack or stroke, OR am taking medication for any heart condition. | Yes □* | No □ |
| Recurrent bronchitis and currently coughing within the past 12 months, OR have been diagnosed with emphysema. | Yes □* | No □ |
| Symptoms affecting my lungs, breathing, heart and/or blood in the last 30 days that impair my physical or mental performance. | Yes □* | No □ |
| BOX B - I AM OVER 45 YEARS OF AGE AND: | | |
| I currently smoke or inhale nicotine by other means. | Yes □* | No E |
| I have a high cholesterol level. | Yes □* | No E |
| I have high blood pressure. | Yes □* | No E |
| I have had a close blood relative die suddenly or of cardiac disease or stroke before the age of 50, OR have a family history of heart disease before age 50 (including abnormal heart rhythms, coronary artery disease or cardiomyopathy). | Yes □* | No 🗆 |
| BOX C – I HAVE/HAVE HAD: | | |
| Sinus surgery within the last 6 months. | Yes □* | No E |
| Ear disease or ear surgery, hearing loss, or problems with balance. | Yes □* | No E |
| Recurrent sinusitis within the past 12 months. | Yes □* | No [|
| Eye surgery within the past 3 months. | Yes □* | No [|
| BOX D – I HAVE/HAVE HAD: | | |
| Head injury with loss of consciousness within the past 5 years. | Yes □* | No [|
| Persistent neurologic injury or disease. | Yes □* | No [|
| Recurring migraine headaches within the past 12 months, or take medications to prevent them. | Yes □* | No E |
| Blackouts or fainting (full/partial loss of consciousness) within the last 5 years. | Yes □* | No [|
| Epilepsy, seizures, or convulsions, OR take medications to prevent them. | Yes □* | No E |
| BOX E – I HAVE/HAVE HAD: | | |
| Behavioral health, mental or psychological problems requiring medical/psychiatric treatment. | Yes □* | No E |
| Major depression, suicidal ideation, panic attacks, uncontrolled bipolar disorder requiring medication/psychiatric treatment. | Yes □* | No E |
| Been diagnosed with a mental health condition or a learning/developmental disorder that requires ongoing care or special accommodation. | Yes □* | No E |
| An addiction to drugs or alcohol requiring treatment within the last 5 years. | Yes □* | No E |
| BOX F – I HAVE/HAVE HAD: | | |
| Recurrent back problems in the last 6 months that limit my everyday activity. | Yes □* | No E |
| Back or spinal surgery within the last 12 months. | Yes □* | No E |
| Diabetes, either drug or diet controlled, OR gestational diabetes within the last 12 months. | Yes □* | No [|
| An uncorrected hernia that limits my physical abilities. | Yes □* | No E |
| Active or untreated ulcers, problem wounds, or ulcer surgery within the last 6 months. | Yes □* | No E |
| BOX G – I HAVE HAD: | | |
| Ostomy surgery and do not have medical clearance to swim or engage in physical activity. | Yes □* | No E |
| Dehydration requiring medical intervention within the last 7 days. | Yes □* | No [|
| Active or untreated stomach or intestinal ulcers or ulcer surgery within the last 6 months. | Yes □* | No [|
| Frequent heartburn, regurgitation, or gastroesophageal reflux disease (GERD). | Yes □* | No [|
| Active or uncontrolled ulcerative colitis or Crohn's disease. | Yes □* | No [|
| Bariatric surgery within the last 12 months. | Yes □* | No [|

*Physician's medical evaluation required (see page 1).

Diver Medical | Medical Examiner's Evaluation Form

Participant Name

| | (Print) | | Date (dd/mm/yyyy) |
|------------------------------|--|----------------------------------|-------------------|
| | uests your opinion of his/her medical sui uhms.org for medical guidance on medyour evaluation. | | |
| Evaluation Result | t | | |
| Approved – I find no condi | itions that I consider incompatible with re | creational scuba diving or freed | iving. |
| Not approved – I find cond | ditions that I consider incompatible with | recreational scuba diving or fre | eediving. |
| | | | |
| | | | |
| Signature of certified medic | cal doctor or other legally certified medical provider | | Date (dd/mm/yyyy) |
| Medical Examiner's Name | | | |
| | | (Print) | |
| Clinical Degrees/Credentials | | | |
| | | | |
| Clinic/Hospital | | | |
| Address | | | |
| | | | |
| Phone | E | mail | |
| | | | |
| | Physician/Clinic Star | np (optional) | |
| | | | |
| | | | |
| | | | |
| | | | |
| | Created by the <u>Diver Medical Screen Co</u> | ommittee in association with the |) |
| | following bodies: The Undersea & Hyperbaric Medical S | | |
| | DAN (US) | | |

Birthdate

© DMSC 2020 3 of 3 10346 EN

Hyperbaric Medicine Division, University of California, San Diego

DAN Europe



Release of Liability/Assumption of Risk/Non-agency Acknowledgment Form **DIVER ACTIVITIES**

Please read carefully and fill in all blanks before signing.

NON-AGENCY DISCLOSURE AND ACKNOWLEDGMENT AGREEMENT

LIABILITY RELEASE AND ASSUMPTION OF RISK AGREEMENT

| diver name | , hereby affirm that I am a certified scuba diver trained in safe dive |
|---|--|
| practices, or a student diver under the control and | I supervision of a certified scuba instructor. I know that skin diving, freediving |
| and scuba diving have inherent risks including tl | hose risks associated with boat travel to and from the dive site (hereinafter |
| "Excursion"), which may result in serious injury o | or death. I understand that scuba diving with compressed air involves certain |
| | ression sickness, embolism or other hyperbaric/air expansion injury that require |
| | a diving with oxygen enriched air ("Enriched Air") or other gas blends including |
| oxygen, I also understand that it involves inhere | ent risks of oxygen toxicity and/or improper mixtures of breathing gas. I |
| | ng or falling while on board the boat, being cut or struck by a boat while in |
| | ff a boat, and other perils of the sea. I further understand that the Excursion |
| will be conducted at a site that is remote, either | by time or distance or both, from a recompression chamber. I still choose to |
| proceed with the Excursion in spite of the absence of | of a recompression chamber in proximity to the dive site(s). |
| | |

I understand and agree that neither _______; nor the dive professional(s) who may be present at the dive site, nor PADI Americas, Inc., nor any of their affiliate and subsidiary corporations, nor any of their respective employees, officers, agents, contractors and assigns (hereinafter "Released Parties") may be held liable or responsible in any way for any injury, death or other damages to me, my family, estate, heirs or assigns that may occur during the Excursion as a result of my participation in the Excursion or as a result of the negligence of any party, including the Released Parties, whether passive or active.

I affirm I am in good mental and physical fitness for the Excursion. I further state that I will not participate in the Excursion if I am under the influence of alcohol or any drugs that are contraindicated to diving. If I am taking medication, I affirm that I have seen a physician and have approval to dive while under the influence of the medication/drugs. I understand that diving is a physically strenuous activity and that I will be exerting myself during the Excursion and that if I am injured as a result of heart attack, panic, hyperventilation, drowning or any other cause, that I expressly assume the risk of said injuries and that I will not hold the Released Parties responsible for the same.

I am aware that safe dive practices suggest diving with a buddy unless trained as a self-reliant diver. I am aware it is my responsibility to plan my dive allowing for my diving experience and limitations, and the prevailing water conditions and environment. I will not hold the Released Parties responsible for my failure to safely plan my dive, dive my plan, and follow the instructions and dive briefing of the dive professional(s).

If diving from a boat, I will be present at and attentive to the briefing given by the boat crew. If there is anything I do not understand I will notify the boat crew or captain immediately. I acknowledge it is my responsibility to plan my dives as no-decompression dives, and within parameters that allow me to make a safety stop before ascending to the surface, arriving on board the vessel with gas remaining in my cylinder as a measure of safety. If I become distressed on the surface I will immediately drop my weights and inflate my BCD (orally or with low pressure inflator) to establish buoyancy on the surface.



Release of Liability/Assumption of Risk/Non-agency Acknowledgment Form **DIVER ACTIVITIES**

I am aware safe dive practices recommend a refresher or guided orientation dive following a period of diving inactivity. I understand such refresher/guided dive is available for an additional fee. If I choose not to follow this recommendation I will not hold the Released Parties responsible for my decision.

I acknowledge Released Parties may provide an in-water guide (hereinafter "Guide") during the Excursion. The Guide is present to assist in navigation during the dive and identifying local flora and fauna. If I choose to dive with the Guide I acknowledge it is my responsibility to stay in proximity to the Guide during the dive. I assume all risks associated with my choice whether to dive in proximity to the Guide or to dive independent of the Guide. I acknowledge my participation in diving is at my own risk and peril.

I affirm it is my responsibility to inspect all of the equipment I will be using prior to the leaving the dock for the Excursion and that I should not dive if the equipment is not functioning properly. I will not hold the Released Parties responsible for my failure to inspect the equipment prior to diving or if I choose to dive with equipment that may not be functioning properly.

I acknowledge Released Parties have made no representation to me, implied or otherwise, that they or their crew can or will perform affective rescues or render first aid. In the event I show signs of distress or call for aid I would like assistance and will not hold the Released Parties, their crew, dive boats or passengers responsible for their actions in attempting the performance of rescue or first aid.

I hereby state and agree that this Agreement will be effective for all Excursions in which I participate for one (1) year from the date on which I sign this Agreement.

I further state that I am of lawful age and legally competent to sign this liability release, or that I have acquired the written consent of my parent or guardian. I understand the terms herein are contractual and not a mere recital, and that I have signed this Agreement of my own free act and with the knowledge that I hereby agree to waive my legal rights. I further agree that if any provision of this Agreement is found to be unenforceable or invalid, that provision shall be severed from this Agreement. The remainder of this Agreement will then be construed as though the unenforceable provision had never been contained herein. I understand and agree that I am not only giving up my right to sue the Released Parties but also any rights my heirs, assigns, or beneficiaries may have to sue the Released Parties resulting from my death. I further represent that I have the authority to do so and that my heirs, assigns, and beneficiaries will be estopped from claiming otherwise because of my representations to the Released Parties.

| beneficialles will be estopped from claiming otherwise because of my representations to the neces. | sea rardes. |
|---|---------------------------|
| I, | NJURY, PROPERTY DAMAGE OR |
| I HAVE FULLY INFORMED MYSELF AND MY HEIRS OF THE CONTENTS OF THIS NON-AGENCY DISCLO AGREEMENT, AND LIABILITY RELEASE AND ASSUMPTION OF RISK AGREEMENT BY READING BOBEHALF OF MYSELF AND MY HEIRS. | |
| Participant Signature | Date (Day/Month/Year) |
| Signature of Parent of Guardian (where applicable) | Date (Day/Month/Year) |
| Diver Accident Insurance? ☐ NO ☐ YES Policy Number | |



Standard Safe Diving Practices Statement of Understanding

Please read carefully before signing.

This is a statement in which you are informed of the established safe diving practices for skin and scuba diving. These practices have been compiled for your review and acknowledgement and are intended to increase your comfort and safety in diving. Your signature on this statement is required as proof that you are aware of these safe diving practices. Read and discuss the statement prior to signing it. If you are a minor, this form must also be signed by a parent or quardian.

| gua | ardian. | , | • | | <i>y</i> , , | | |
|---|---|---------------------------|--|---------------------------------------|-----------------------------|--------------------------------|--|
| l, _ | (Print Name) | | _, understand that a | as a diver I should | d: | | |
| 1. | . Maintain good mental and physical fitness for diving. Avoid being under the influence of alcohol or dangerous dru when diving. Keep proficient in diving skills, striving to increase them through continuing education and reviewing them in controlled conditions after a period of diving inactivity, and refer to my course materials to stay current as refresh myself on important information. | | | | | | |
| 2. | Be familiar with my dive sites. If not, obtain a for conditions are worse than those in which I am conditions. Engage only in diving activities con technical diving unless specifically trained to de- | n experienc nsistent w | ed, postpone diving | or select an alter | nate site wi | th better | |
| 3. Use complete, well-maintained, reliable equipment with which I am familiar; and inspect it for correct fit and fu prior to each dive. Have a buoyancy control device, low-pressure buoyancy control inflation system, submpressure gauge and alternate air source and dive planning/monitoring device (dive computer, RDP/dive tableschever you are trained to use) when scuba diving. Deny use of my equipment to uncertified divers. | | | | | | | |
| 4. | Listen carefully to dive briefings and directions cognize that additional training is recommend areas and after periods of inactivity that excee | led for par | ticipation in specialty | | | | |
| 5. | Adhere to the buddy system throughout every in case of separation and emergency procedur | | | ımunications, pro | cedures for | reuniting | |
| 6. | Be proficient in dive planning (dive computer of a margin of safety. Have a means to monitor training and experience. Ascend at a rate of not A scend F rom E very dive. Make a safety stop a or longer. | depth an ot more th | d time underwater. an 18 metres/60 feet | Limit maximum o t per minute. Be a | depth to my a SAFE diver | y level of – S lowly | |
| 7. | Maintain proper buoyancy. Adjust weighting and device. Maintain neutral buoyancy while unde clear for easy removal, and establish buoyancy device (such as signal tube, whistle, mirror). | rwater. Be | buoyant for surface | swimming and re | esting. Have | weights | |
| 8. | Breathe properly for diving. Never breath-hold hyperventilation when breath-hold diving. Avoid | | | | | | |
| 9. | Use a boat, float or other surface support stati | ion, when | ever feasible. | | | | |
| 10. | Know and obey local dive laws and regulations | s, including | g fish and game and | dive flag laws. | | | |
| | nderstand the importance and purposes of ety and well-being, and that failure to adh | | - | • | • | my own | |
| | Participant's Signature | | | Date (Day/N | Month/Year) | | |
| | | | | | | | |

Signature of Parent or Guardian (where applicable)

Date (Day/Month/Year)