

LIABILITY RELEASE AND EXPRESS ASSUMPTION OF RISK

Please read carefully, fill in all blanks with your name and initial each paragraph before signing.

I, _____, hereby affirm that I am thoroughly aware of the inherent hazards of skin diving and scuba diving.

_____ Further, I understand that diving with compressed air involves certain inherent risks; decompression sickness, embolism, or other hyperbaric injuries can occur that require treatment in a recompression chamber. I further understand that the open-water diving trips may be conducted at a site that is remote, either by time or distance or both, from such a recompression chamber. I still choose to proceed with such dives in spite of the possible absence of a recompression chamber in proximity to the dive site.

_____ I understand and agree that neither Andre De Klerk nor the facility through which I participated in diving activities, Yes Dear Sailing Ltd., nor PADI, or NAUI nor any of their respective employees, officers, agents or assigns, (hereinafter referred to as "Released Parties") may be held liable or responsible in any way for any injury, death or other damages to me or my family, heirs, or assigns that may occur as a result of my participation in this diving or as a result of the negligence of any party, including the Released Parties, whether passive or active.

_____ I also understand that skin diving and scuba diving are physically strenuous activities and that I will be exerting myself during these diving activities and that if I am injured as a result of a heart attack, panic, hyperventilation, drowning or any other cause, that I expressly assume the risk of the said injuries and that I will not hold the above listed individuals or companies responsible for the same.

_____ 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 that the terms herein are contractual and not mere recital, and that I have signed this document of my own free act and with the knowledge that I hereby agree to waive my legal rights.

IT IS THE INTENTION OF _____ BY THIS INSTRUMENT TO EXEMPT AND RELEASE, Andre De Klerk, PADI, NAUI, THE FACILITY THROUGH WHICH I PARTICIPATED IN DIVING ACTIVITIES, Yes Dear Sailing Ltd. AND ALL RELATED ENTITIES AS DEFINED ABOVE, FROM ALL LIABILITY OR RESPONSIBILITY WHATSOEVER FOR PERSONAL INJURY, PROPERTY DAMAGE OR WRONGFUL DEATH HOWEVER CAUSED, INCLUDING, BUT NOT LIMITED TO, THE NEGLIGENCE OF THE RELEASED PARTIES, WHETHER PASSIVE OR ACTIVE.

I HAVE FULLY INFORMED MYSELF OF THE CONTENTS OF THIS LIABILITY RELEASE AND EXPRESS ASSUMPTION OF RISK BY READING IT BEFORE I SIGNED IT ON BEHALF OF MY HEIRS AND MYSELF.

Signature of Diver

Date

Signature of Parent or Guardian (where applicable)

Date