

**BURKES CYCLES DEMO BIKE AGREEMENT**

(Deed Of Acknowledgement And Waiver Of Liability, Indemnity And Voluntary Assumption Of Risk)

At my request, Burkes Cycles will permit me to take a test ride on a new season Demo bicycle.

In consideration of being permitted to take a demonstration ride on a new season Demo bicycle, I agree to be bound by the terms, conditions and effect of this Deed of Acknowledgement And Waiver Of Liability, Indemnity And Voluntary Assumption Of Risk (the 'Deed').

I acknowledge that:

- I agree to pay a "bike maintenance fee" of \$100.00 or \$150.00 (eBike) per test ride. Upon purchase of a new season bicycle following on from a test ride, any "bike maintenance fee" amounts paid will be deducted from the purchase price of the new bicycle.
- I am competent to perform a safety check, and will personally perform a safety check of the demonstration bicycle prior to my ride. This includes left and right brake placement.
- I am competent to safely ride the demonstration bicycle, and will observe safe riding practices and obey all laws.
- I will wear all appropriate safety equipment at all times, including a bicycle helmet.
- I am in good health and do not suffer from any cardiovascular, respiratory, musculoskeletal or other medical conditions which may be affected by riding a bicycle.
- That this Deed serves as a warning that cycling is an inherently dangerous recreational activity, presenting a great number of risks, such as the risk of falling, colliding with other riders or vehicles, encountering hidden obstacles or varying terrain, or the risk of injury from any failure of the bicycle or any of its components.
- By signing this Deed, I agree that I voluntarily and expressly assume all the risks associated with cycling on my demonstration ride, including the risk of serious injury or death.
- Further I acknowledge that I am responsible for returning the bike in the same condition as I received it in. Should I damage the bike in any way or if it is lost or stolen while in my care I hereby authorise Burkes Cycles to charge me the total cost of repairing the damage or the replacement cost of the bicycle, at the absolute discretion of Burkes Cycles.
- Insurers reserve the right to recover any costs associated with any damage caused to any property that is covered by this insurance agreement if such damage can be or has been attributed to yourself and/or if you are legally liable for any such damage.
- I have carefully read (or had someone else read to me) and understood this Deed. I am also aware that by signing this Deed, it may affect the legal rights and liabilities of myself, my heirs, next of kin, executors, administrators and successors.

On my own behalf and on behalf of my heirs, assigns and personal representatives, I hereby: (a) fully and forever discharge and release Burkes Cycles and its related companies (being the "releasees"); and (b) agree to indemnify and keep indemnified the releasees, from any and all liability, claim, damage, loss, cost or expense arising directly or indirectly from my demonstration ride and/or use of the demonstration bicycle (however caused and whether fatal or otherwise).

I expressly agree that the forgoing agreement shall be construed to provide the parties being released with the broadest relief possible. If any portion is held invalid, the balance shall continue in full legal force and effect. This Deed shall be governed by the laws of New Zealand.

**PLEASE READ THIS DOCUMENT CAREFULLY BEFORE SIGNING**

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# Demo Bike Agreement

Demo Rider to complete ENTIRE section

Date of Test Ride: .....

Name:	
Email:	
Phone Number:	
Address/Suburb/City:	
Identification Type: (Passport or Drivers Licence)	
Identification Number:	
Date of Birth:	
Signature:	
Emergency Contact:	
Emergency Contact Phone:	
If Demo Rider is a Minor/under 18, Parent/Guardian must sign below:	
Parent/Guardian Name:	
Parent/Guardian Signature:	
Relationship:	
Burkes Cycles use only	
Bike Model:	
Bike Name:	
Serial Number:	

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