



RELEASE OF LIABILITY & WAIVER OF CLAIMS

Assumption Of Risk

As a participant in a fitness related event located at The Fairmont Banff Springs, managed by Fairmont Hotels Inc., (hereinafter collectively referred to as the "Hotel") I acknowledge and assume any and all risks whatsoever associated with membership/use including, but not limited to, the condition of the physical premises, use of the facilities and equipment and participation in any fitness activity.

Release and Waiver

In consideration of the Hotel allowing my participation in an event at the Hotel, I agree as follows:

1. to waive any and all claims that I may have at present or in the future with respect to the Hotel, its parents, affiliates, shareholders, directors, officers, employees, members, agents and independent contractors (hereinafter collectively referred to as the "Fairmont Group");
2. to release the Hotel and the Fairmont Group from any and all liability for any loss, damage, injury or expense that I may suffer, or that my next of kin may suffer, as a result of my participation due to any cause whatsoever including, but not limited to, negligence, breach of contract or breach of any statutory or other duty of care, including any duty of care owed under the *Occupiers' Liability Act*, R.S.A. 2000, c. O-4 on the part of the Hotel; and
3. this release shall be effective and binding upon my heirs, next of kin, executors, administrators, assigns and representatives in the event of my death or incapacity.

In entering into this Release, I am not relying on any oral or written representations or statements made by the Hotel or the Fairmont Group other than what is set forth in this Release.

I have read and understood this Release and I am aware that by signing this Release I am waiving certain legal rights which I or my heirs, next of kin, executors, administrators and assigns may have against the Hotel and the Fairmont Group.

Signed this _____ of _____, 20____.

Signature of Participant

Signature of Witness

Printed Name of Participant

Printed Name of Witness