



Confirmation and Acceptance of conditions of Bluewater Surplus Gym Equipment Dispersal 2023 Agreement Form

This form must be signed and returned to Council, *prior* to the collection of equipment.

The Club acknowledges and agrees that Colac Otway Shire Council ('Council') makes no representation or warranty as to the condition and/or fitness for purpose of the items donated under this agreement. The Club accepts the donated items in their condition and state of repair at the time of receipt of the items.

The Club acknowledges and agrees that the items donated under this agreement are outside the period of the manufacturer's warranty and that council will not provide any support maintenance or guarantee that support maintenance will be provided by the Manufacturer of the donated items.

The Club agrees to release the Council, its officers, employees, agents and contractors , from all claims resulting from damage, loss, death or injury, in connection with the items donated under this agreement, including in connection with the pick-up and transport of the donated items, which may otherwise be brought or made or claimed by the Club against the Council.

The Club agrees to indemnify and keep indemnified the Council, its officers, employees, agents and contractors from and against all actions, costs, claims, charges, expenses, penalties, demands and damages whatsoever, which may be brought or made or claimed against them, in connection with the donated items, including loss or damage arising from or in connection with the transport of the donated items.

Name of Applicant Organisation/Group/Club:

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I acknowledge that I have read and accept the terms and conditions under which equipment is donated through the Bluewater Surplus Gym Equipment Dispersal 2023.

Signature of Primary Contact:

Name of Primary Contact: