



Declaration of ActionQuest Activities and Risks

ActionQuest activities have inherent risks, many of which cannot be eliminated without destroying the unique character of the activities. These risks, inherent and otherwise, can cause loss or damage to Students' equipment, accidental injury, illness, or in potentially extreme cases trauma, disability or death. The following document describes some of these risks:

IF THE STUDENT IS A MINOR AT ANY TIME DURING THE PROGRAM, THE STATE OF FLORIDA REQUIRES THAT THE FOLLOWING STATEMENT IS PRINTED IN UPPERCASE TYPE, AT LEAST 5 POINTS LARGER THAN, AND CLEARLY DISTINGUISHABLE FROM THE REST OF THE TEXT OF THE WAIVER OR RELEASE. THIS IS IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 744.301 FLORIDA STATUTES, FILED IN OFFICE OF SECRETARY OF STATE APRIL 27, 2010.

NOTICE TO THE MINOR CHILD'S NATURAL GUARDIAN

READ THIS FORM COMPLETELY AND CAREFULLY. YOU ARE AGREEING TO LET YOUR MINOR CHILD ENGAGE IN A POTENTIALLY DANGEROUS ACTIVITY. YOU ARE AGREEING THAT, EVEN IF ACTIONQUEST, LLC. USES REASONABLE CARE IN PROVIDING THESE ACTIVITIES, THERE IS A CHANCE YOUR CHILD MAY BE SERIOUSLY INJURED OR KILLED BY PARTICIPATING IN THESE ACTIVITIES BECAUSE THERE ARE CERTAIN DANGERS INHERENT IN THESE ACTIVITIES WHICH CANNOT BE AVOIDED OR ELIMINATED. BY SIGNING THE MEDICAL AND LIABILITY RELEASE AGREEMENT YOU ARE GIVING UP YOUR CHILD'S RIGHT AND YOUR RIGHT TO RECOVER FROM ACTIONQUEST IN A LAWSUIT FOR ANY PERSONAL INJURY, INCLUDING DEATH, TO YOUR CHILD OR ANY PROPERTY DAMAGE THAT RESULTS FROM THE RISKS THAT ARE A NATURAL PART OF THESE ACTIVITIES. YOU HAVE THE RIGHT TO REFUSE TO SIGN THE FORM, AND ACTIONQUEST, LLC. HAS THE RIGHT TO REFUSE TO LET YOUR CHILD PARTICIPATE IF YOU DO NOT SIGN THIS FORM.

ActionQuest programs are conducted internationally, primarily at sea, in many locations as described in program-specific materials furnished to Parents and Students. Some activities may be conducted onshore, including in urban or rustic village settings. Most activities and programs will use chartered and rented sail and motor vessels of various sizes and capabilities.

Activities vary from program to program and include the following:

- 1) Water sports activities include sailing, scuba and snorkeling, swimming, whitewater rafting, waterskiing, wakeboarding, windsurfing, surfing and operating small, motorized watercraft. In many programs, students will be subject to the risks of living and working on and otherwise moving about ocean-going vessels and other watercraft. Shipboard duties including raising, lowering and handling of sails; easing and grinding of working lines under load on winches and purchase systems; handling anchor lines, anchor chains and anchors; handling lines leading to small craft in tow from the deck of the vessel; cooking on gas stoves; cleaning of galley ware, common spaces, cabins and bathrooms.
- 2) Shore activities include transportation to and from activities and airports by way of airplane, taxi, train, public bus or rented vehicle. Other shore activities include exploring local cities, towns and villages during free time, hiking, zip lining and horseback riding.
- 3) Community service projects occur both onshore and offshore and may expose Students to risks ordinarily associated with light construction, including heavy lifting and the use of potentially dangerous hand tools and power tools. Many of the activities include interaction with local populations.

ActionQuest activities occur in both urban and remote settings, often in less developed areas than in the US, perhaps many hours from medical care and facilities. Communication and transportation are difficult and sometimes evacuations and medical care may be significantly delayed.

Travel onshore may be over rugged unpredictable terrain, including unimproved and rough roads and trails, and, at sea, rough water, ocean waves and reefs may be encountered. Attendant risks include collision, falling, capsizing, drowning and others associated with such travel, as well as environmental risks. Decisions made by Staff and other Students, perhaps in a remote setting, based on a variety of perceptions and evaluations which by their nature are imprecise and subject to errors in judgment.

Environmental risks and hazards include those associated with water travel, on large and small craft, including slipping, falling and tripping on sometimes wet surfaces, and falling overboard; the unpredictable forces of nature, including weather which may change to extreme conditions without notice. Other risks include injuries, bruises, strains and breaks, becoming exposed to infectious bacterial and/or viral diseases, water immersion and drowning, exposure to the sun and other elements, and other mild or serious conditions.

In certain environments, Students may be exposed to the conduct of third persons not associated with ActionQuest and whose conduct is not controlled by ActionQuest. The supervision provided by ActionQuest in the various environments in which it operates cannot be constant or total, and Students must accept responsibilities for managing the risks to which they may be exposed.

Students in foreign urban and other environments may be exposed to animals, bugs and insects, diseases and infections, laws and legal systems and standards of medical care not common to the United States. In addition, these programs may be subject to dangerous road travel, political unrest, riots and demonstrations, and criminal conduct, including thievery and drug related activities, and other conditions and occurrences with which Students may not be familiar.

ActionQuest has contracted with independent contractors for the performance of certain services including ground transportation, Sunsail / Moorings for the yacht charter and in some locations outside of the British Virgin Islands, scuba diving. These contractors - not ActionQuest - are responsible for their activities. Some, including PADI, may require execution of certain documents, including releases of claims against them. Such documents pertain to those contractors - not to ActionQuest. ActionQuest is seeking in this, its Declaration of Activities and Risks, an assumption of the program's risks and other protection from liability, on its own behalf.

The description above of the risks of ActionQuest activities is not complete and other unknown or unanticipated risks may result in property loss, injury or death. Engaging in these activities may require a degree of skill and knowledge different from other activities with which Students may be more familiar. Students have responsibilities for managing the risks to themselves and others. The Staff of ActionQuest has been available to more fully explain to Students and their families the nature and physical demands of these activities and the inherent and other risks associated with the program. Student and Parent acknowledge that participation in the program is purely voluntary, and with full knowledge of the inherent and other risks.