WESTOWN TRAILS

WESTOWN TRAILS INDEMNITY AND CODE OF CONDUCT

The owners and managers (together "the owners") of the land ("the land") on which WESTOWN TRAILS offers access to designated marked routes ("the marked routes") for the purpose of recreational riding and running, have made the land available to WESTOWN TRAILS and cyclists/runners/horse riders subject to the following indemnities and undertakings which must be agreed and accepted by each individual.

1. **I enter and use the land entirely at my own risk**
   1.1. I will bear the risk of all and any loss to any person which may arise from my presence on the land, as a result of any circumstances at all. In particular, I hereby indemnify and hold harmless from all liability all persons, (including but not limited to KZNMBA, WESTOWN TRAILS, INZINZO, and TONGAAT HULETT, WESTOWN SQUARE or any successor of any of the aforementioned, all members, agents, contractors and employees of the aforesaid persons and the owners, local authority or statutory body and any employees of the former, together hereafter referred to as "the indemnified persons") in respect of any loss, damage or injury whatsoever which I may suffer (including loss to or by my family members and dependants) arising from any reason whatsoever, nothing excluded.
   1.2. I acknowledge that WESTOWN TRAILS acts as agent and trustee in respect of all of the indemnified persons other than itself, accepts this indemnity and any benefits conferred on the indemnified persons on their behalf and that WESTOWN TRAILS is authorised by the indemnified persons to do so.

2. **I will only use the marked routes**
   2.1. I will not leave the marked routes as indicated in yellow on the map. follow the direction of the route and, specifically, will not go into cane fields or onto in-field access ways or cane breaks, unless requested to do so by WESTOWN TRAILS or in an emergency.
   2.2. Should I wish to ride on the existing EMBA TRAILS, I acknowledge I am an existing member or will purchase a day permit.
   2.3. However, even if I leave the marked routes in contravention of this undertaking and Code of Conduct, I understand that I will still remain fully bound by all of the terms and conditions of this Indemnity and Code of Conduct.

3. **I acknowledge that the land is privately owned and that operations take precedence**
   3.1. I will respect the owners' staff and operational requirements on the land and not ride/run or conduct myself in a manner which interferes with owners' operations in any way at all.
   3.2. I acknowledge that all owners' vehicles shall at all times have the right of way and that, if necessary, I will move off a path or road to permit vehicles to pass.

4. **I will comply with notices, instructions and directions from the owners and their staff. The owners may need to prohibit the use of certain areas for safety or operational reasons and may do so without prior warning. I will politely and immediately adhere to notices, signs, or instructions in this regard.**

5. **I will not bring any vehicle other than a mountain bike onto the land. I will not bring any motorised equipment/vehicles onto the land for any reason, or onto the trails, and shall engage only in mountain biking, trail running and equestrian activities.**

6. **I will behave with due decorum and respect and will not bring the name of WESTOWN TRAILS into disrepute or adversely affect the enjoyment of others. If my behaviour is, in the sole opinion of the owners of WESTOWN TRAILS:**
   6.1. Contrary to the terms of this Code of Conduct;
   6.2. Of such a nature as to be unbecoming of a member of WESTOWN TRAILS, or likely to adversely affect the good name of WESTOWN TRAILS and/or enjoyment of other members of WESTOWN TRAILS, I understand that WESTOWN TRAILS may summarily terminate my membership with no reimbursement of my membership fee if applicable or refuse me access to WESTOWN TRAILS for a period to be determined by the operators of WESTOWN TRAILS. WESTOWN TRAILS will be entitled to have me immediately removed from the land.

7. **I will look after the land as if it were my own**
   7.1. I will not litter at all, will avoid causing fires, soil erosion or damage to plants and shrubs and will report trespassers (or unauthorised mountain bikers or trail runners) and incidents to the WESTOWN TRAILS Office.
   7.2. I will act as eyes and ears for the owners and report suspicious activity I observe to WESTOWN TRAILS and/or security to assist in the security in the area. I will also report any damages noted on the land to WESTOWN TRAILS.

8. **I acknowledge having been specifically made aware of the following:**
   8.1. Mountain biking, trail running and horse riding can be inherently dangerous sports, especially if undertaken on uneven or roughly hewn ground. I acknowledge that the marked routes offered by WESTOWN TRAILS may be uneven or roughly hewn at times and

may at times present a danger to mountain bikers, trail runners and horse riders. I will therefore exercise reasonable caution at all times when riding on the marked routes and do so entirely at my own risk.

8.2. The roads, tracks and access ways on the property are generally narrow and are utilised frequently by private individuals, vehicles, heavy tractors and construction vehicles, many of which have long stopping distances, and which may pose a danger to me and I will accordingly take all due care and precautions.

8.3. The moving of sugar or other operations on the property may constitute a danger to me.

8.4. The burning of sugar cane is a regular occurrence on the property and it is often not possible to give prior warning of such burning. Fires may occur without the knowledge or control of land managers and burn in a dangerous, unpredictable, and uncontrolled manner. All burning constitutes a serious danger and burning areas must be avoided.

8.5. The land is inhabited by snakes, bushpigs and other wildlife. I acknowledge that these may pose a danger to me. I will also take all reasonable care to do no harm whatsoever to any wildlife which I encounter.

8.6. WESTOWN TRAILS has limited emergency response resources but we can be contacted on 066 441 0582.

8.7. I accept that should I have an emergency on the trails, WESTOWN TRAILS staff will help as much as possible can but that they can commit to nothing. I need to be prepared and self-sufficient in the case of an emergency.

8.8. My access to the property is undertaken with due knowledge and appreciation of the risks inherent therein. I hereby waive my right to bring/institute any claim against WESTOWN TRAILS should I be involved in any incident/accident in the land.

9. No Helmet, No ride: Riding without a helmet is not cool. Actually, a helmet protects you from the sun while still providing ventilation so, a helmet is cool (and can save your life). Riding is not permitted without a helmet.

10. No valid permit, no access, if applicable: Our honesty box is open 24/7 – no excuses not to go out without a valid permit or having signed this indemnity. Signing this indemnity allows you on the farms where we have our trails. Without signing you are trespassing on private land and we do fine for riding/running without having done so (all fines are 100% donated to the Foundation).

11. Right of way: Riders, runners, hikers, walkers, dogs, horses, bakkies, trucks, tractors; there is a lot going on and we need to share the trails. All farming vehicles have right of way, always. Most of them are out there at work while we're so lucky to be out there to play on their land. Just give way and say hello or have a chat.

12. Earphones in the ear are not allowed. You are riding on operational land and it is vital for your safety to be able to hear vehicles and other trail users approaching up front or from behind.

13. Keep it clean: We trust that wrappers and bottles on the trails are accidents but please let us, as trail users, set the example not to litter.

14. Leave the trail open: When you are stopping to look at the view (recovering from a climb), fix your bike or wait for someone, please leave a gap for others to pass by.

15. Follow the route: Most of our trails and all our single track are unidirectional. No one wants to come around a corner facing another rider coming towards you and more important farm vehicles to expect people to ride contra-flow.

16. Stay on the trail: You are riding and running on operational farms and farmers do not expect anyone outside of the marked routes. Please stick to the routes, but you are free to jump from one route to another to mix it up.

17. Passing: Not everyone rides at the same pace. If you see someone riding or running in front of you, they're not there to hold you up; they're simply less experienced or not as fit. The last thing a slower rider wants is the pressure of a fast rider breathing down their neck. With the added pressure, less skills and confidence than a faster rider, it's not easy trying to find a place to pass. If you want to pass, just ask and give them a chance to find a suitable spot. And remember please and thank you are the magic words.

18. Be self-sufficient: Even riding with a group, always take your own phone, multi-tool, pump, bomb, tyre lever and tube; don't rely on others. You may not need it for many rides but you will be happy you took it when you do need it, or when you can help someone else. When you see someone standing next to their bike on the trail always stop and check if they're okay.

19. Have fun: actually, that is not a rule but the reason why we are all out here.