

# TERMS AND CONDITIONS

## SEA KAYAKING

### IN THE POLAR REGIONS

---

#### The Kayaking Experience

The kayaking program will take place in one of the roughest and toughest environments in a remote part of the world. We cannot guarantee any location because our ability to do so depends on the weather and ice conditions, which can be changeable, and over which we have no control.

The descriptions in the voyage brochure and preparation notes are made in the belief and with care that they are accurate, but due to the kayaking program being very much dependent on the natural environment, we cannot guarantee that it will take place as described. If we are unable to provide you with a full kayaking excursion due to medical emergency, weather and ice conditions, or any circumstance beyond our control, no refund of money paid will be made.

#### About You

To take part in the kayaking program, previous kayaking experience is strongly recommended. We recommend, regardless of your experience, that before leaving for your expedition, you rent a kayak, or take kayaking lessons, for at least a minimum of three hours, so that you have some experience in using and getting both in and out of a kayak, and are familiar with an emergency wet exit, and will assume that you have done so. For the safety of yourself and the other kayakers, the kayak guide may for any reason refuse your participation in the kayaking program, or ask you to undertake a practical test. If we refuse your permission, we shall refund any money you paid to us for the kayaking program but shall not be otherwise liable.

If not enough people have decided to share in the kayaking program, we reserve the right to cancel your kayaking program prior to your expedition and advise you accordingly. If we do cancel your kayaking program prior to your expedition, we will refund any monies received from you as payment towards this program, but shall not be otherwise liable.

#### Equipment and Safety

To take part in the kayaking program you must be appropriately dressed. Details of the recommended clothing are listed in our attached "Preparation Notes Sea-kayaking". You are reminded that in the Polar Regions, the weather conditions can change rapidly, with little or no warning. It is therefore important that you are adequately dressed for the worst possible conditions. We will provide you with kayak safety vests, a dry suit, and the other items mentioned in the preparation notes. Although we regularly maintain and check this equipment, before you start kayaking, you must carry out a safety check to ensure that all equipment used by you is in good condition and working order. You must confirm to the kayak guide that you have checked your equipment properly and that it is in good condition.

**We use Prijon Excursion Tandem Kayaks for our program, as with any sports equipment it may not fit you. For entering into the kayak and assuming a comfortable paddling position, the maximum hip width is 40 cm or 15.75 inches. We suggest that you take a horizontal measurement at the widest point of your hips to determine if you will be able to fit in the kayak.**

During your kayaking excursions, you will be accompanied by a kayak guide. In addition, there will be a Zodiac in constant communication with the group, which will assist for any safety or emergency reasons. For the safety of yourself and the other participants in the kayaking excursions, there will be a maximum number of 10 kayakers. We reserve the right for reasons of safety to restrict the number of people

participating in our kayaking excursions at any one time. **Please note that kayak options cannot be shared.**

In the interests of your safety and comfort, and that of the other participants, it is very important that you must listen to, understand, and comply with all and any instructions given. Instructions will be given in English. It is your responsibility to ensure that you have knowledge of the English language, so that you are fully able to understand instructions given in English. If you do not understand any of the instructions, we reserve the right to refuse you participation based on safety concerns communicating during an emergency situation.

### **Your Health**

You must declare: (1) when you book this kayaking program and (2) immediately prior to starting your kayaking excursions, any pre-existing medical condition or illness, or poor state of health. You should, before starting your expedition, visit a doctor for a personal medical examination to ensure that you are fully able to participate in the kayaking program, and we shall assume that you have done so. If you are recovering from any breathing illness or the effects of alcohol and/or drug consumption or have recently had any major illness or surgery, then by participating in the kayaking program, you may be placing yourself and others at risk. If so, we would strongly advise you not to take part.

### **Waiver**

As you will be sea-kayaking in cold and icy conditions, there will be the constant risk of personal injury. You must accept that element of risk. You will be required to have medical and travel insurance and to sign a separate Liability Waiver Form Release while onboard expressly assuming the risks associated with the kayaking program and releases G.A.P. Adventures Inc., The Expedition Shipping Company Limited, (and all other related, affiliated, associated or otherwise connected corporations, partnerships, individuals and other entities and all of their respective officers, directors, employees, contractors, agents, successors and assigned, from all liability (including but not limited to injury, loss or death) and waiving all claims. You will not be permitted to participate in the kayaking program unless you execute this form.

Kayaking is restricted to those persons age 18 years and over.