

NOTES ON THE RISK WARNINGS AND WAIVERS STATEMENTS

The template risk warnings and waivers are based on the words used in the [NSW Civil Liability Act 2002](#) and the Commonwealth [Competition and Consumer Act 2010](#). The ONSW Board strongly recommends they be used for all orienteering events held in NSW. The wording has been vetted by a senior lawyer.

The following are worth noting.

- Orienteering organisers cannot rely on risk waivers or warnings to protect them from legal liability if our reckless conduct by them causes significant personal injury to a competitor.
- Risk warnings can be an effective method of ensuring orienteers run at their own risk. The risk waiver can add to this protection.
- Risk warnings work better if they are communicated at the event. If the event is pre-entry, the warnings should be in the pre-entry process and given at the event.
- Risk waivers are probably not legally effective if 'signed' by people under 18.
- Under Orienteering Australia's [Member Protection Policy](#), a photo and the name of a person under 18 should not be published unless the parent or guardian's consent has been obtained.
- If the waiver for an event says "I have seen the Specific Risk Warning given at this event" please have a sign saying "Specific Warnings – Nil" if this is appropriate.
- A copy of ONSW's [Competitors' Rules](#) should be available at all ONSW events.
- If you are registering groups of adults, they should sign the risk waiver – either adapt the group form or use registration cards.
- In terms of the Competitors' Rules: "If a competitor does not provide safety information or "read and accept" the Risk Warning and, if applicable, Risk Waiver and Statements, the competitor can be prohibited from starting or disqualified."