**[insert Fernwood Fitness logo]**

**ACL EXCLUSION NOTICE (Victoria only)**

**Regulation 6  
Schedule 2 of the Australian Consumer Law and Fair Trading Regulations 2012 (Vic)**

**Please read this notice before you enter these premises and participate in**

**any of the recreational services.**

Under the Australian Consumer Law (Victoria), several statutory guarantees apply to the supply of certain goods and services. These guarantees mean that the supplier named on this notice is required to ensure that recreational services it supplies to you –

* are rendered with due care and skill; and
* are reasonably fit for any purpose which you, either expressly or by implication, make known to the supplier; and
* might reasonably be expected to achieve any result you have made known to the supplier.

Under section 22 of the ***Australian Consumer Law and Fair Trading Act 2012* (Vic)***,* the supplier is entitled to ask you to agree that these statutory guarantees do not apply to you.

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| By entering into the premises and participating in the activities offered by **[insert legal name of the Victorian Fernwood Home Club and the ABN]** (**the supplier**), you agree that the liability of the supplier for any personal injury that may result from the supply of the recreational services that may be suffered by you is **excluded**. |

**WARNING:** If you participate in these activities your rights to sue the supplier under the ***Australian Consumer Law and Fair******Trading Act 2012* (Vic)** if you are killed or injured because the activities were not supplied with due care and skill or were not reasonably fit for their purpose, are excluded, restricted or modified in the way set out in or on this notice.

**NOTE:** The change to your rights, as set out in or on this notice, does not apply if your death or injury is due to gross negligence on the supplier's part. ***Gross negligence***, in relation to an act or omission, means doing the act or omitting to do an act with reckless disregard, with or without consciousness, for the consequences of the act or omission. See regulation 5 of the Australian Consumer Law and Fair Trading Regulations 2012 (Vic) and section 22(3)(b) of the ***Australian Consumer Law******and Fair Trading Act 2012* (Vic)**.