



Sipekne'katik Food, Social, Ceremonial Fishery
Consent for Participation, Risk, Acknowledgement, Waiver of Liability

PLEASE READ CAREFULLY This document includes an assumption of risks, release of liability, waiver of claims, and indemnity. By signing this document, you will be giving up certain legal rights.

BACKGROUND:

- A. Sipekne'katik, under the authority of the Sipekne'katik Chief and Council, manage the Lobster Food, Social Ceremonial Fishery ("FSC Lobster Fishery"), through the Lobster FSC Fishery Management Plan (FSC Plan");
- B. The FSC Plan manages and regulates those Sipekne'katik members who wish to exercise their Aboriginal Right to fish for food, through the issuance of FSC Lobster Tags, where the exercise of the Aboriginal Right must be done in accordance with the FSC Plan;
- C. Sipekne'katik members who exercise their Aboriginal Right to fish for food under the FSC Plan, are doing so through their own efforts and recognize the considerable safety risks associated with FSC Lobster fishing.

Sipekne'katik Member Name: _____

Sipekne'katik Band Number: _____

FSC Lobster Tags Issued: _____

Date Issued: _____

LFA Area Fishing: _____

Vessel Name and Number: _____

WAIVER OF LIABILITY

I, _____, in consideration of my participation in the Sipekne'katik FSC Lobster Fishery, do hereby knowingly, freely and voluntarily release, waive, discharge and promise not to sue or make any form of claim against Sipekne'katik for anything related to or in connection with my participation in the Sipekne'katik FSC Lobster Fishery. I understand that this waiver applies to all rights, claims, demands, causes of action, including negligence on the part of any person organizing or directly involved in the delivery of the Sipekne'katik FSC Lobster Fishery. I understand and acknowledge that this waiver applies to any form of injury, death, property damage or other costs or injuries incurred by myself or another as a result of my participation in the Sipekne'katik FSC Lobster Fishery.

Voluntary Assumption of Risks:

Through the acceptance of the FSC Lobster Tags issued to me by Sipekne'katik, bearing numbers _____, and in consideration of my participation in the Sipekne'katik FSC Lobster Fishery, I, _____, understand and agree that participation within the fishery is an activity that has substantial risk for personal injury, even where all safety precautions are followed.

I understand that the FSC Plan sets out safety standards, and that by accepting this license for access, I am agreeing to comply with the FSC Plan, including all of its safety requirements.

Indemnification and Hold Harmless

I also agree to Indemnify and Hold Harmless Sipekne'katik, its' elected officials and officers, employees, agents, volunteers and representatives, or any of them, from any and all claims, actions, suits, procedures, costs, expenses, damages and liability, including legal fees, brought as a result of any personal injury, death, loss or property damage resulting from, occasioned to or suffered by any person or property, through any act or omission of mine in connection with my participation in the Sipekne'katik FSC Lobster Fishery.

Acknowledgment of Understanding:

I confirm that I understand the legal meaning of this document on my rights and that it will also be binding on my heirs or next of kin, executors, administrators and assigns. I acknowledge that I am signing the agreement freely and voluntarily and by signing this document I intend it to be a complete and unconditional release of all liability to the greatest extent allowed by law.

I am making the decision to participate in the FSC Lobster Fishery solely of my own choice.

BY SIGNING THIS LEGAL DOCUMENT, YOU:

- **Indicate that you have understood the risks associated with the Sipekne'katik FSC Lobster Fishery;**
- **Agree and understand that Sipekne'katik assumes no legal or financial responsibility for any injury or damage resulting from your participation in the Sipekne'katik FSC Lobster Fishery;**
- **Agree to assume financial and legal responsibility for any injury or damage resulting from your participation in the Sipekne'katik FSC Lobster Fishery; and**
- **Indicate that you have understood and agree to all terms and conditions included in this form.**

Signed this ____ day of _____, 2022.

Signature of Harvester

Harvester Name (Please print)

Director/Manager Signature

Director/Manager Name

