Limitation of liability - cognovits clause

Vereinslogo

The responsibility for the decision to participate in a race/practice event or to continue with it is solely with the skipper; to that extent the skipper also accepts full responsibility for the crew. The skipper is responsible for the qualification and the correct nautical conduct of the crew as well as for the suitability and the transport-safe condition of the registered boat.

In cases of Force Majeure or on grounds of administrative orders or for safety reasons, the organizer is entitled to make changes in the realization of the event or to cancel the event. This does not constitute any liability by the organizer towards the participant, if the reasons for the changes or the cancellation do not result from a wilful or grossly negligent behaviour of the organizer.

In case of a violation of obligations that do not constitute primary or material contractual duties (cardinal obligations), the liability of the organizer for financial and property damages incurred by the participant during or in connection with the participation in the event and resulting from a conduct of the organizer, its representatives, servants or agents, is restricted to damages that were caused wilfully or grossly negligent. When a violation of cardinal obligations occurs due to minor negligence, the liability of the organizer is limited to foreseeable, typical damages. To the extent that the liability for damages of the organizer is excluded or restricted, the participant also relieves the staff - employees and representatives, agents, servants, sponsors and individuals who provide or drive salvage, safety or rescue vessels or assist with their use - from the individual liability for damages, as well as also all other individuals who were instructed to act in connection with the realization of the event. The effective racing rules of World Sailing, the administrative regulations regatta-sailing and the articles of association of the DSV, the class rules as well as the regulations of the invitation to the competition and the sailing instructions are to be complied with and are expressly recognized.

Class Sail number

Name of Crewmember/Skipper

Place, Date Signature (if not of legal age, sign. of legal guardian)