

66 Arthur Allen Drive BARDIA NSW 2565 &

Ist Ingleburn Scout Hall Westland Memorial Park

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optimumfc@outlook.com

ABN: 80 215 213 528

Adult's Martial Arts Membership Application - 14TH September 2025

Title / Pronoun	Nam	e	S	urname		Date of Birt	th / / _	Age	
Home Street	me Street			Suburb			Post Cod	de	
Mobile * Email						Occupation_			
(4)	(3)	(3)							
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Name		Pho	one 🆀		Relations	hip to you?			
Section 2: Your	Medical	History							
Have you consulted a	doctor abo	out starting an	exercise pr	ogram or martial ar	ts classes? (Please circle:	YES NO)		
Have you ever know	ingly suffe	red from any	of the follo	owing conditions	? (* Cross if	NO, Number A	scending (1 to	9 etc) if YES	
Arthritis		nic Headache		aring Problems	Jaundio		Pleurisy		
Asthma	Circu			art Murmur	Joint Co	ndition	Pneumonia		
Back Condition / Pair	Diab			art Palpitations	Kidney	Problems	Rheumatic	Fever	
Blackouts	Dizzi	ness	Hepatitis		Liver Problems		Sight Impai	rment	
Bladder Disorders	Epile			rnia	Lung Di	Lung Disease		Stroke	
Bone Disease	Faint	ing			Major S	urgery	Thyroid Tro	uble	
Cancer	Glan	dular Fever	Lo	w Blood Pressure	Migraines		Tuberculosi	s	
Chest Pains	Othe	r Gland Troub	le Hiç	gh Cholesterol	Muscula	r Illness/Pain	Ulcer		
Chronic Bronchitis	Gout		HI	//AIDS	Obesity		Any Other (Condition?	
If you have ticked a	ny of the al	oove, or have	any other	condition or illnes	ss please giv	e details below	or attach anot	her page:	
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2)				6)					
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Training in martial arts is dangerous!! Take your time to read the following conditions carefully!!

1. Interpretation

The "Applicant / student" means the individual who will be utilising the service of martial arts instruction.

2. Acceptance

I		of	
	(the Applicant / student - Please print your full name here)		(Please print your home address here)

the Applicant / student, agree to be bound by the terms of this contract with **OPTIMUM MARTIAL ARTS ACADEMY** and the persons named and described in **Schedule 1** below, hereinafter jointly and severally referred to as "the providers". The providers agree to permit me to use their premises and facilities to practice martial arts, to instruct me in martial arts and related activities ("the service"), upon and subject to the following terms and conditions:

(a) Subscription / Membership / Tuition Fees

The Applicant / student will pay the fees for the service on time. Fees may be notified to the Applicant by written document, email, text message, by a notice displayed in the provider's premises (or premises occupied by the providers), verbally, or on the provider's website.

(b) Medical Conditions

The Applicant / student warrants that they have never suffered a blackout, seizure, convulsion, fainting, dizziness, and is not presently receiving treatment for any illness, disorder, or injury which would render it unsafe for the them to take part in martial arts classes or training.

(c) Exclusion of Applicant

The Applicant / student warrants that they have not at any time been told they cannot / should not participate in martial arts by a medical practitioner, or any legal representative or entity, including this or any other martial arts club.

(d) The Rights of a Consumer (That's you!)

If the Trade Practices Act 1974 or similar state laws apply to this agreement, then certain terms and rights may be implied into this contract which operate for the benefit of the providers, which flowing from them, cannot be excluded, restricted, or modified by any provision of the contract.

THEREFORE, PLEASE NOTE THE FOLLOWING: (Legal-Speak is translated into normal English in red.)

If the Trade Practices Act 1974 (or similar state laws) operates so as to prevent the exclusion, restriction, or modification of warranties otherwise implied by those laws, (in other words, if we mess up), then the liability of the providers for breach of those warranties is limited to:

- (i) the re-supply of the Martial Arts instruction and related activities; (we give it to you again) or
- (ii) the payment of the cost of having the Martial Arts and related activities supplied again. (or we refund you)

(e) Waiver and Indemnity

In all other cases and except where inconsistent with the above, the Applicant / student for themself, their executors, administrators, dependents and other personal representatives, hereby absolves and indemnifies the providers and all their servants, agents, employees, other students, or persons under the providers control (the "indemnified") from all liability howsoever arising, for injury or damage (including but not limited to the Applicant's / student's person, whether fatal or otherwise, property and personal belongings) however caused including by the negligence of the indemnified, arising out of or participating in martial arts or fitness activities, or in connection with martial arts or fitness activities, or in any way caused by, or arising out of, any activity carried on by the indemnified.

(f) Martial Arts and self defence are practiced at the Applicant's own risk!

Any person training in martial arts, or in activities connected with martial arts, or participating in any activity carried on by this Club / School / Business are only allowed to do so on the distinct understanding that they do so **entirely at their own risk**.

(g) Acceptance

Performance of the provider's obligations under the contract may be carried out by any one or more of the providers, either jointly or severally.

(h) Governing Law

Any agreement entered into pursuant to this acceptance is to be governed by the laws of the State of New South Wales, and the courts of New South Wales shall have exclusive jurisdiction to entertain any action in respect of any such agreement.

Section 5: Declaration of Understanding

TRAINING IN MARTIAL ARTS IS DANGEROUS!

I the Applicant / student;

- 1) Have read or have had read to me all the above conditions, and having understood them, I consent to the activities proposed.
- 2) Have read and understood the terms of Section 4, the Martial Arts Contract, or if I did not understand the terms of the contract, I requested an independent person to explain them to me.
- 3) Have received a copy of the "Martial Arts Terms of Service" sheet which I have read, understood, and agree to abide by if I'm to participate in martial arts training / tuition / classes, and / or fitness training sessions with Optimum Martial Arts Academy.
- 4) Have disclosed any information that is relevant to my ability to safely participate in exercise or martial arts training programs to the staff of Optimum Martial Arts Academy, or any relevant or appropriate agents or associates thereof.
- 5) Am aware that all martial arts including, Kickboxing, Kung Fu, Kali / Arnis / Eskrima, Jiu-Jitsu, Krav Maga / Kapap, Capoeira, Boxing, Karate, Grappling, and Self Defence are contact activities, and that <u>it is not uncommon to incur injuries whilst participating</u>. I therefore understand and agree that neither Neal Elliott / Optimum Martial Arts Academy / The Optimum Zone / Chris Russell, or their employees, agents or associates, (who will take all reasonable care and attention), WILL NOT BE LIABLE FOR ANY INJURY OR LOSS OF PROPERTY, whether caused by accident or neglect during the course of any training in, or of any component of, the Optimum Fighting Concepts combat system, whether during an official class at an Optimum Martial Arts Academy location or anywhere else, with or without supervision.

Applicant Name:	Applicant Signature	Date /	/ 2025

SCHEDULE 1

In addition to (Neal Elliott / Optimum Martial Arts Academy / Chris Russell and their agents), the providers in respect of this agreement include but are not limited to:
(a) The president, councillors, and ratepayers of Campbelltown Council and, the principle representatives of any venue or other space being hired for the purposes of classes, seminars, competitions, gradings, training, practice, or any other associated activities.

(b) The venue / space owners, staff, instructors, venue / space providers, including but not limited to: (i) Neal Elliott / Optimum Martial Arts Academy / Optimum Fitness Concepts / The Optimum Zone (ii) Chris Russell (iii) (iv) Scouts NSW (v) Campbelltown Council (vi) Fariborz Fardin and any of his associated businesses