

Snow &Fun, s.r.o., Sluštická 1627/14, 100 00 Praha 10 – Strašnice, DIČ: CZ28479424, pursuant to Law No. 266/1994 Coll., on Railways, as amended, and in compliance with the Decree No. 175/2000 Coll., on Transport Regulations for public rail and road passenger transport (hereinafter referred to as the "Transport Regulations"), issues the following:

## **TRANSPORT TERMS AND CONDITIONS**

for public rail passenger transport on ski lift Malý Šišák operated by the company Snow & Fun s.r.o.  
Valid from : 01. 11. 2009

### **Article 1**

#### **General Provisions**

- 1)** These Transport Terms and Conditions apply to regular transport of passengers on ski lift Malý Šišák and stipulate the terms and conditions for this type of transport.
- 2)** Based on a concluded transport contract, the passenger shall observe the terms of the Transport Regulations, these Transport Terms and Conditions and the pricelist.
- 3)** A person authorised by the Carrier, wearing a service uniform is authorised to check lift tickets and to give instructions and orders to passengers in order to ensure their safety and the transport safety and continuity.
- 4)** Skiers or snowboarders who want to use our lift are transported only when they bear their skis or snowboard firmly on their feet. The exclusively in the winter season operated lift is not intended to carry pedestrians, nor luggage, baby carriages, bicycles, or other sports equipment, and therefore are not accessible for them.
- 5)** Operator informs passengers about transportation and its changes in the area of top and bottom station of the ski lift Malý Šišák.

### **Article 2**

#### **Establishment and Fulfilment of Passenger Transport Contract**

- 1)** The Transport Contract shall be concluded if the passenger uses his/her right for transportation arising from a passenger document by entering the marked boarding or exit point accessible only with a valid passenger dokument.
- 2)** By purchasing a lift ticket of Snow&Fun, s.r.o., the transport participants affirm that they are familiarized with the Transport Terms and Conditions, the Timetable, the Pricelist, the Instructions for Using Downhill Tracks and they undertake to respect the same.
- 3)** The exclusive and sole seller authorised to sell lift tickets is the company Snow&Fun, s.r.o. and persons authorised by this company.

### **Article 3**

#### **Passenger document**

- 1)** For the whole term of fulfilment of the Transport Contract, the passenger shall have a valid passenger document, which the passenger shall present during a passenger document check.

**2)** A valid passenger document is:

- a) a single-ride ticket
- b) a time pass entitling to multiple rides within its time of

**3)** A person authorised by the Carrier shall have the right to take an invalid passenger document in cases, when such passenger document:

- a) Is damaged in such a manner that the data necessary for checking the correctness of its use are not visible,
- b) Comprises data, which do not correspond to the actual state or which have been illegally modified,
- c) Is used by an authorised person
- d) Has exceeded its term of validity
- e) Is not an original passenger document.

A person authorized by the Carrier shall issue a confirmation to the passenger that the ticket has been withdrawn from the passenger or taken away by the ticket machine.

#### **Article. 4 Payment of Fare**

- 1)** For single-ride tickets and/or time passes, the passengers shall pay a fare in an amount indicated in the pricelist.
- 2)** Types of passenger documents as well as the tariff terms of their use are determined by the operator.
- 3)** A lift ticket is valid, if it is an original lift ticket issued by the Carrier and if it contains the following:
  - a) The trade name of the Carrier concluding the Transport Contract,
  - b) The type and amount of fare and/or the amount of discount
  - c) Data on its term of validity
- 4)** Lift tickets are non-transferable.
- 5)** Single tickets are valid only on the day of their purchase.
- 6)** Morning ticket is valid 9:00 – 12:30, afternoon ticket 12:30 – 16:00.
- 7)** Sale of afternoon passes begins not earlier than 5 minutes before the indicated time of validity ( i.e. before 12:30 p.m.).
- 8)** Time passes valid for half day, one or more days and whole season tickets are not valid for night skiing.
- 9)** Night skiing passes are valid 18:30 – 20:30.
- 10)** Before boarding the lift, the passenger shall pass through a ticket machine which shall check and record his/her lift ticket.
- 11)** The compensation of the ticket price for season tickets will be refunded after deduction of the proportional, already driven amount (measured in time units), exclusively in the following cases:
  - a) in case of injury, which happened to the passenger on the downhill slope of the ski resort Malý Šišák. The passenger has the duty to prove this fact with a certification examination at the scene,
  - b) in case of illness, issued by a medical (doctor) certificate
  - c) in case of a simultaneous failure of ski lift, if this lasts more than two hours, and that as a result of severe weather, extremely high wind speed, storm, technical faults or power failure. In such a case, the fare will be refunded in form of a voucher on the last day of validity of the ticket. The voucher is valid from the date of issue until the end of the following winter season. The voucher will be issued at the checkout, where the ticket was purchased.
- 12)** We provide no fare compensation in case of ticket loss.
- 13)** In case of ticket mutilation caused by the passenger, we charge a fee of CZK 50,- for issuing a duplicate ticket.

#### **Article 5 Transport of Children, Juniors and Seniors**

- 1)** Children under 5 years of age can be transported only when accompanied by passengers older than 15 years of age.
- 2)** Children shorter than 120 centimetres can be transported only accompanied by someone who is capable of providing the child with appropriate assistance.
- 3)** Passengers who want to buy children, junior and senior tickets must prove their age by an identity document. (Children show their insurance cards).

4) Further terms and conditions relating to the transport of children, juniors and seniors (e.g. discount fares) are stipulated in the pricelist.

## **Article 6 Carrier and Passenger Relations**

### **1) Carrier's obligations**

For the sake of ensuring due passenger care when providing transportation services, the Carrier shall:

- a) Provide information on timetables, prices and issued Transport Terms and Conditions at designated places (ticket office, Boarding Point),
- b) Mark places serving for the sale of lift tickets,
- c) Mark places serving for passenger check-in and lift ticket checks,
- d) Mark places serving for passenger queuing and boarding or exiting the lift
- e) Ensure cleanliness and order and/or lighting of the Boarding and Exit Points,
- f) To handle poor service complaints immediately, in more complicated cases within three working days. The employee authorized by the carrier handles complaints pursuant to Law No. 634/1992 Coll., the Consumer Protection Act.

### **2) Passenger obligations**

The passenger shall be obliged:

- a) To purchase a lift ticket and to pass through a ticket machine before boarding the transportation facility, which shall check and record the lift ticket,
- b) To have a valid lift ticket and to present it upon the request of a person authorised by the Carrier,
- c) To follow the instruction of the person authorised by the Carrier as well as the pictograms located on the track,
- d) To maintain cleanliness and order at Boarding and Exit Points and during transportation, not to jeopardize the health and safety of other passengers or the safety and the continuity of public passenger transport by its conduct,
- e) Not to soil other passengers as well as the premises and facilities serving for passengers with his/her clothing or conduct.

### **3) The passengers are particularly not allowed:**

- a) To turn out of the ski lift track during the transportation,
- b) To inhibit the use of operating devices, to withhold others from exiting, passing to or boarding the lift,
- c) To smoke on the lift or on the premises designated for passengers, where smoking is prohibited,
- d) To damage the lift, as well as the premises and facilities designated for passengers,

4) If the passenger endangers the person authorized by the carrier by breaching his/her Transport Terms and Conditions obligations, then it is a case of delict as per Act No. 200/1990 Coll. on Delicts.

## **Article 7 Use of Safety, Communication and Control Devices**

Passengers may use the safety and control devices located at places accessible to the public, if such device are designated for operation by passengers only under the following circumstances:

- a) In case of imminent danger to life or health.

## **Čl. 8 Other Provisions**

These provisions come, in particular, from the valid Regulations of the International Ski Federation (FIS) and the Czech regulation known as ČSN 01 8027 Marking and securing in the winter resort, valid since 1st February 2009.

### **1) Additional specific terms and conditions namely include:**

- a) Operating hours, timetables, prices, information on evening skiing, special rides and sports events, which may affect the operations of the transportation facilities are indicated at the points of sale
- b) Information on climate conditions, especially snow and weather conditions, the condition of downhill skiing tracks are decisive for the passengers

c) ) Passengers utilizing the downhill tracks shall observe the specified instructions for their use and in the event of their violation, such passengers may be excluded from further transport on the track,

d) The management of the company Snow&Fun, s.r.o. reserves the right to allow training and competitions of skiers, snowboarders or skibobbers on an enclosed track based on a previous agreement,

e) Without the consent of the management of Snow&Fun, s.ro. commercial skiing snowboarding lessons are prohibited. The right of priority using of the lift during the ski or snowboard lessons depends on former consent of management or employee os Snow&Fun, s.r.o.

f) Maintenance of downhill tracks is mostly performed after the end of operations of the transportation facilities, the downhill tracks are closed for maintenance purposes after 4.15 pm

g) Depending on snow and weather conditions, maintenance can be performed also within operating hours,

h) Snow vehicle drivers must ensure that the warning beacon is on when performing maintenance and during regular drives,

i) Barriers on the track shall be marked in sufficient distance and/or enclosed with a fence or a net,

## **2) Instructions for Using the Downhill Tracks:**

### **a) Mutual Consideration**

All skiers and snowboarders shall conduct themselves on the track in a manner not jeopardizing others with their behaviour, equipment, and accessories.

### **b) Speed and Behaviour Check**

Speed and behaviour on the track shall correspond to the personal abilities and general conditions, such as weather, snow conditions, skiing traffic, etc.

### **c) Selecting Ride Direction**

Skiers and snowboarders who are at the top of the track are in a position providing them with a good view and they may select the direction of their ride. They shall select the direction in a manner not jeopardizing others.

### **d) Overtaking**

Everyone may be overtaken from above, from the right and from the left, however only at sufficient distance. No one will be limited in their freedom of movement.

### **e) Beginning the Ride and Crossing**

When beginning the ride, after a break or when crossing tracks, everyone shall make sure visually that the track above and underneath is free before riding down.

### **f) Stopping**

It is dangerous to stop in narrow or dangerous parts of the track. After a fall, the track must be vacated as soon as possible.

### **g) Movement without Skis**

Walking up and down the track is possible only at its edges. Pedestrians shall not jeopardize others with their equipment or their body.

### **h) Respecting Information, Warning Signs**

It is necessary to respect all information concerning the weather, track and snow conditions, as well as warning signs. ATTENTION! RIDING OUTSIDE THE DOWNHILL TRACK IS STRICTLY PROHIBITED!

### **i) First Aid**

In case of an accident, every participant or witness must provide first aid, namely by calling the Mountain Rescue Service. If requested to do so, they help the Mountain Rescue Service.

### **j) Identification**

Identification Witnesses or participants of an accident are obliged to provide their personal data to the Mountain Rescue Service or another authorised person.

## **Article 12 Concluding Provisions**

1) ) These Transport Terms and Conditions are valid for the transport of passengers provided by the Carrier Snow&Fun, s.r.o. with effect from November 1, 2009.

2) An extract of a substantial part of the Transport Terms and Conditions is disclosed on the premises of the skilift boarding station, ticket office and on the website [www.sankarska-draha.cz](http://www.sankarska-draha.cz)

Ve Špindlerově Mlýně dne 1. 11. 2009

Ing. Jan Duda  
Jednatel společnosti