Content:

13 et seq.

Ut res magis valeat quam pereat - ("Let the thing stand rather than fall"). - It must be presumed that the draftsman intends every word to bear a meaning: to be something which "stands", so as to be neither repetitious nor redundant. And if a particular clause appears on the face of it to be either of these things then the Court must seek to give it a meaning which avoids such a conclusion.

A person who consents to run the risk of injury cannot maintain an action in tort against the person who causes that injury. "Volenti non fit injuria" ("Where there is consent there is no injury"). This is a principle of general application.

Referring Principles:

I.1.6 - No damage claim in case of consent

IV.5.3 - Interpretation in favor of effectiveness of contract