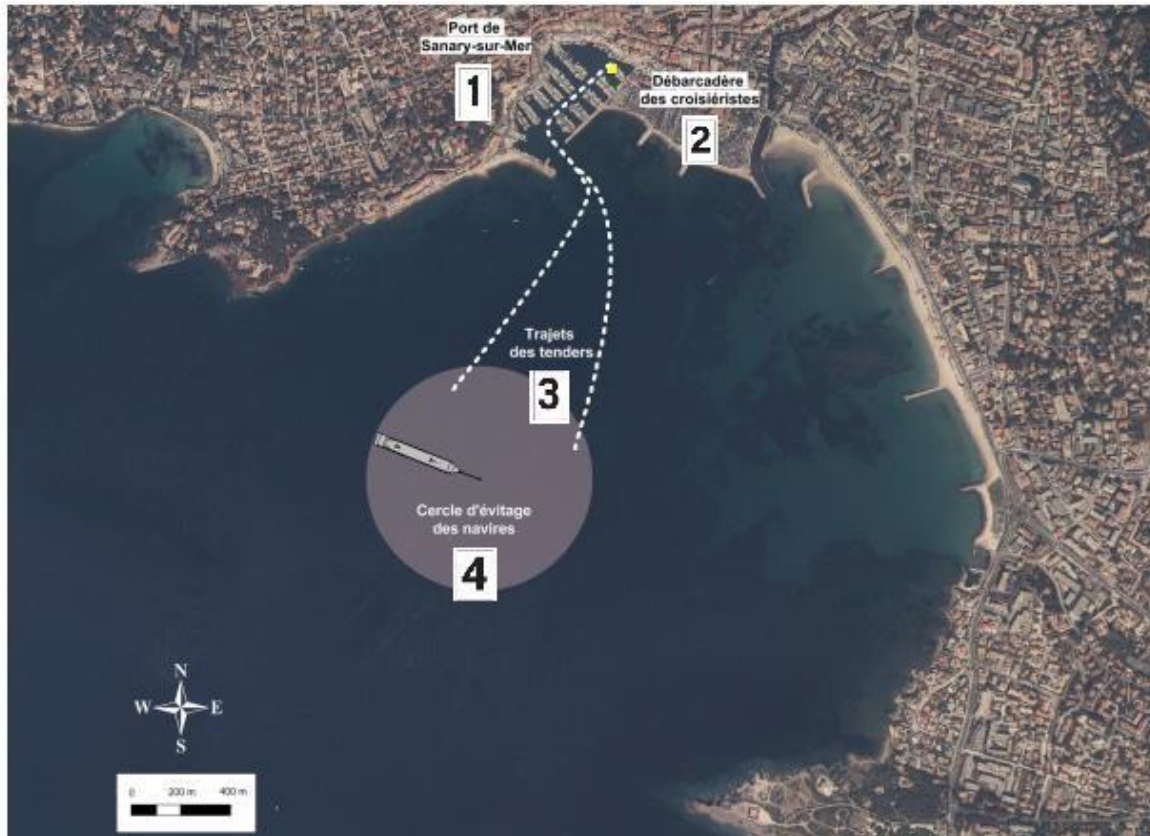


Operating regulations for the mooring trunk in Sanary-sur-Mer's bay



1 Sanary-sur-Mer's Harbour

2 Cruisers landing stage

3 Tenders path

4 Avoiding circle



Summary

ARTICLE 1.	IDENTITY OF THE OPERATOR	2
ARTICLE 2.	CONTEXT & OBJECTIVES	3
ARTICLE 3.	LOCATION OF THE MOORING TRUNK	4
ARTICLE 4.	RELEVANTS CONTROLSFOR THE MOORING TRUNK SURROUNDINGS	4
ARTICLE 5.	CHARACTERISTICS OF VESSELS AUTHORIZED TO MOORE ON THE MOORING TRUNK	5
ARTICLE 6.	EQUIPMENT SIZING	5
ARTICLE 7.	AVOIDING CIRCLE	5
ARTICLE 8.	MOORING TRUNK SIGNALING	6
ARTICLE 9.	STOPOVERS BOOKING TERMS	7
ARTICLE 10.	RELEVANTS CONTROLS DURING THE STOPOVER.....	7
ARTICLE 11.	TECHNICAL TERMS RELATING TO THE TAKING OF THE MOORING TRUNK	8
ARTICLE 12.	RELEVANTS FINANCIAL TERMS FOR THE TAKING OF THE MOORING TRUNK	8
ARTICLE 13.	RELEVANTS CONDITIONS FOR DISEMBARK AND RE-EMBARK PASSENGERS DURING STOPOVER IN SANARY BAY	8
ARTICLE 14.	AUTHORIZED DURATION OF MOORING ON THE MOORING TRUNK 9	
ARTICLE 15.	RELEVANTS PROCEDURES OF A STOPOVER ARRIVAL MODIFICATION	9
ARTICLE 16.	RELEVANTS TERMS FOR A STOPOVER CANCELLATION REQUESTED FROM THE USER	9
ARTICLE 17.	RELEVANTS TERMS FOR A STOPOVER CANCELLATION AND INTERRUPTION REQUESTED FROM THE MUNICIPALITY	9
ARTICLE 18.	RIGHTS AND OBLIGATIONS OF THE MUNICIPALITY	9
ARTICLE 19.	USER OBLIGATIONS	10
ARTICLE 20.	POLICE AUTHORITY	10
ARTICLE 21.	INSURANCE	10
ARTICLE 22.	LITIGATION	11

ARTICLE 1. IDENTITY OF THE OPERATOR

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Hôtel de ville

CS70001

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83110 Sanary-sur-Mer CEDEX

Phone : + 33 (0) 4 94 32 97 00 Fax : + 33 (0) 4 94 88 12 04

@ : contact@sanarysurmer.com

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Captaincy

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ARTICLE 2. CONTEXT & OBJECTIVES

Under the temporary occupation autorisation n°2020-2030 issued by the Var Prefecture on December the 12th 2019, the municipality of Sanary-sur-Mer utilize a mooring trunk in its bay in order to welcome cruise ships. This mooring trunk is located approximately 800m from the entrance of the port and will be able to welcome ships calling up to 224m lenght.

This operation aims to:

- Enhance the natural, cultural and historical heritage of the city,
- Protect and develop the natural environment :
 - Stopping the destruction of Posidonia herbariums caused by anarchicals anchorages,
 - Setting up eco-responsible facilities allowing the development of local flora and fauna,
- Get and maintain the “Ports Propres” certification.
- Improve the reception of cruisers setting up a secure and beaconed reception area for cruisers.
- Setting a multifunctional, innovative and standardized layout to welcome cruise ships in a small harbour.

Added to cruise ships, the mooring trunk can also punctually accomodate pleasure craft and military vessels, regarding to the conditions of use and maximum dimension of the trunk.

This document define the operating regulations for the mooring trunk.

For the proper understanding of these regulations, the occupant of the mooring trunk will be referred as the "user".

ARTICLE 3. LOCATION OF THE MOORING TRUNK

The mooring trunk is located in the northern part of Sanary-sur-Mer's bay, about 800 m from the exit of the harbour and about 15m of seabed.(Figure 1).

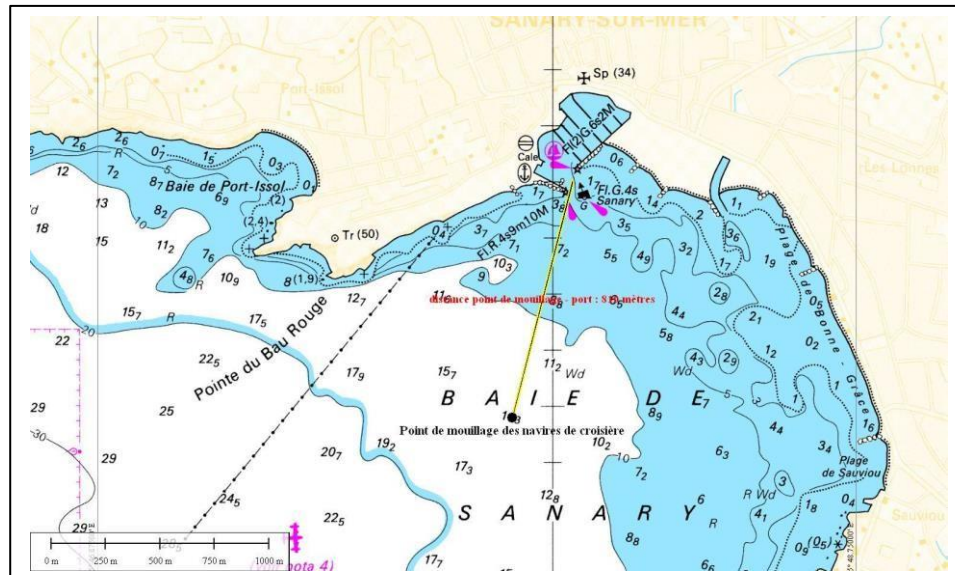


Figure 1 : Location of the mooring trunk (Sanary's bay)

Configuration of the mooring trunk area: about 16.2 m CM depth, seabed relatively flat, bare sand substrate within a posidonia herbarium.

The trunk is located on a bare sand area, more than 10m from the dense Posidonia herbarium.

Coordinates of the chest anchor point and its corresponding bathymetry:

Coordonnées exprimées en WGS84	
LATITUDE	43°06,4756' N
LONGITUDE	005°47,8840'E
BATHYMETRY	16,2 +/-0,2 m CM

ARTICLE 4. RELEVANTS CONTROLSFOR THE MOORING TRUNK SURROUNDINGS

Relevants controls in the area are specifies in the Prefecture Decree No. 129/2021.

ARTICLE 5. CHARACTERISTICS OF VESSELS AUTHORIZED TO MOORE ON THE MOORING TRUNK

- The sizing of the device is calibrated to suit the largest cruise ship that the Municipality wishes to accommodate. These characteristics are as follows:
 -
 - Length: 224 meters
 - Width: 31 meters
 - Draft: 7 meters
 - Gross tonnage : 56,000 Tons
 -
- Only vessels meeting technical characteristics less than or equal to the above limit values are authorized to use the mooring trunk, under reserve of:
 - a previous reservation established and validated by the harbor master's office of Sanary-sur-mer, in accordance with article n° 9 of these regulations,
 - and compliance with weather conditions provided by in Article n°6 of these regulations

ARTICLE 6. EQUIPMENT SIZING

The sizing of the mooring trunk structures was chosen for wind conditions: Beaufort 4.

The main characteristics are summarized in the table below:

Equipment	Solution Beaufort 4
Avoiding circle Radius	276 m
Mooring Diameter / Height / Mass	6,62 m / 1,66 m / 174 t
Principal chain Diameter / Length / Weight	34 mm / 49,7 m / 1229 kg
Trunk Diameter / Buoyancy	3 m / 1598 kg

Sizing of equipments

As mentioned above, the sizing of the structures was established for Beaufort 4 wind conditions. Therefore, these operating conditions correspond to the limit of weather conditions beyond which:

- Any scheduled stopover must be postponed or canceled in accordance with the conditions provided for in Article 9 of these regulations,
- Any stopover in progress must be interrupted, in accordance with the conditions provided in Article 17 of these regulations.

ARTICLE 7. AVOIDING CIRCLE

The avoiding circle of the mooring trunk has, at rest, a radius of 15 m to 20 m (grip of 1250 m²) and 50 m in tension (grip 7850 m²).

The maximum avoiding circle for a 225m vessel has a radius of 276m and a footprint of around 23.9 Ha.

It should be noticed that ecological devices are implemented for the mooring trunk. These are concrete structures that are juxtaposed to the trunk. The concrete modules come in various shapes and serve as a refuge and nursery for marine fauna.

ARTICLE 9. STOPOVERS BOOKING TERMS

1. Any reservation request must be sent **at least 1 year before the date of the desired stopover** by email to capitainerie@sanarysurmer.com
 - The shipping agent requests his stopover reservation request, specifying:
 - Name of the vessel
 - Date of arrival
 - Date of departure
 - Number of passengers
 - Technical characteristics of the vessel.
 -
 - Under reserve of :
 - Availability of the mooring trunk on the dates and times requested
 - AND compliance of the vessel with the technical characteristics provided for in Article 7 of this Regulation,
 - the harbor master's office of Sanary-sur-Mer sends to the requester a booking confirmation by e-mail.
 -
2. **At least 48 hours before the reserved stopover**, after obtained from the Maritime Prefecture the authorization to moor in the area on the scheduled date, the reservation is confirmed by sending the following documents to capitainerie@sanarysurmer.com:
 - confirmation of the estimated time of arrival
 - confirmation of the estimated duration of the stopover
 - passenger list
 - list of crew members
 - ship's health record
 - "ISPS pre-arrival"

ARTICLE 10. RELEVANTS CONTROLS DURING THE STOPOVER

During the stopover:

- no landing of household waste authorized,
- no boarding of mass provisioning allowed.

Particular environmental vigilance is required from crew members throughout the stopover. The user will take all measures to limit nuisance (pollution of the marine environment, atmospheric pollution, noise pollution, etc.)

ARTICLE 11. TECHNICAL TERMS RELATING TO THE TAKING OF THE MOORING TRUNK

Under reserve of having the prior agreement of mooring in the bay of Sanary-sur-Mer from the Mediterranean Maritime Prefecture, the reservation for the safe deposit must be made with the Port Authority of the port of Sanary at least 48 hours before the arrival of the vessel contacting the Harbor Master's Office:

- by phone at + 33 (0) 4.94.74.20.95
- by email captainerie@sanarysurmer.com.

For any vessel that does not comply with the reservation conditions provided for in article 9 of these regulations, the port authority reserves the right to grant or refuse the taking of a safe to the requesting vessel, the decision depending on the reservations already validated, the technical characteristics of the ship and the weather forecasts announced on the anchorage area.

Only one vessel may go in for the mooring trunk.

Sanary-sur-Mer's harbour does not have a mooring service.

Taking the trunk requires the launching of a boat from the armed vessel by member of it's crew.

The Mooring trunk is equipped with a classic wide body shackle with a capacity of 55 T which allows two hawsers to be hooked simultaneously.

ARTICLE 12. RELEVANTS FINANCIAL TERMS FOR THE TAKING OF THE MOORING TRUNK

The Mooring trunk is subject to a fee.

The fee is subject to review each year. It is approved by the Port Council, the Operations Council and deliberated by the Municipal Council.

ARTICLE 13. RELEVANTS CONDITIONS FOR DISEMBARK AND RE-EMBARK PASSENGERS DURING STOPOVER IN SANARY BAY

The port of Sanary-sur-Mer is not a "Turn Around". Therefore, boarding of new passengers is not possible during the stopover. Only disembarkation / re-embarkation movements are authorized.

The disembarkation / re-embarkation of passengers takes place exclusively at the "cruise pontoon" located at the end of the outage 5.

The port of Sanary-sur-Mer is ISPS certified. Therefore, passenger movements (disembarkation / embarkation) comply with all requirements relating to port security specified by the staff of the harbor master's office.

ARTICLE 14. AUTHORIZED DURATION OF MOORING ON THE MOORING TRUNK

Stopovers are limited to:

- Maximum 72 hours for cruise ships
- and 24 hours for large pleasure craft.

Therefore, state service vessels are subject to a derogatory regime and can be moored on the trunk, as long as necessary for their interventions. However, they do not benefit from a priority right when a vessel has a reservation and will have to leave the trunk before the arrival of the vessel.

ARTICLE 15. RELEVANT PROCEDURES OF A STOPOVER ARRIVAL MODIFICATION

Except in major forces, stopover changing requests (dates, times, etc.) must be sent by email to capitainerie@sanarysurmer.com at least 2 months before the planned stopover.

ARTICLE 16. RELEVANT TERMS FOR A STOPOVER CANCELLATION REQUESTED FROM THE USER

Except in major forces, the shipping agent solicits a cancellation request for a stopover from the harbor master's office at least 6 months before the requested stopover.

Call cancellation requests caused by adverse weather conditions should be sent by email to capitainerie@sanarysurmer.com at least 24 hours before the planned stopover.

ARTICLE 17. RELEVANT TERMS FOR A STOPOVER CANCELLATION AND INTERRUPTION REQUESTED FROM THE MUNICIPALITY

The port authority reserves the right to immediately suspend any scheduled or ongoing stopover authorization if it was brought to its attention by the competent administrative authorities that the vessel was not complying with all or part of the legal and regulatory obligations in force.

The port authority reserves the right to put an early end to an ongoing stopover or to cancel a scheduled stopover, without notice, in the event of major forces, in particular for safety reasons.

ARTICLE 18. RIGHTS AND OBLIGATIONS OF THE MUNICIPALITY

In addition to managing mooring reservations on the trunk, the Municipality is also in charge of:

- Upkeep and maintenance of equipment
- Environmental monitoring of the natural environment around the trunk.

In case of work needed, either in the interest of the operation of the port or the mooring trunk, or to allow or perfect its construction and its development, or for any other reason of general interests, the port authority reserves the right to carry them out wherever it's necessary.

In these eventualities, the user can neither oppose the execution of the works, or claim any compensation for losses, damages, disturbances of use, commercial damage... Nevertheless, the port authority undertakes any useful measure to prevent and reduce the damage or other disturbances of use likely to be caused by the work which it carries out or has carried out, as much as possible.

ARTICLE 19. USER OBLIGATIONS

Only ships in good standing with maritime regulations are authorized to use the mooring trunk.

Thus, only ships having in particular:

- all authorizations to enter in French territorial waters
 - and a State services authorization to navigate and moor in the area,
- can be authorized to moor at the Sanary-sur-Mer mooring trunk.

The user is required to comply with the laws and regulations relating to occupational health and safety, the police, the environment (in particular concerning atmospheric pollution, noise pollution, waste management and treatment. gray and black water) and the applicable laws and regulations in general, despite the Transport Code.

When disembarking passengers at the port, the provisions of the police regulations of the ports of Sanary-sur-Mer must be strictly respected by the user.

As provided in article 17 of these regulations, the port authority reserves the right to immediately suspend any scheduled or current stopover authorization if it was brought to its attention by the competent administrative authorities that the ship did not comply with. all or part of the legal and regulatory obligations. As far as the port authority may suspend without notice any scheduled or current stopover authorization in the event of:

- non-compliance with port police regulations
- non-compliance with these regulations.

ARTICLE 20. POLICE AUTHORITY

Police authority in the area of the mooring trunk referred to the Maritime Prefect.

When disembarking ashore, police authority referred to the Mayor.

ARTICLE 21. INSURANCE

The equipment was declared by the Municipality under its civil liability and property damage insurance contracts.

The Municipality disclaims all liability for any incident or accident that may occur to the ship due to its stopover in Sanary Bay.

The user must ensure permanent surveillance of his vessel and be able to intervene without delay if necessary.

The surveillance of the ship is the responsibility of the user, the port authority is released from any responsibility in the event of break-in, depredation, theft, loss, damage or any other cause occurring to persons and / or property during the stopover. The user guarantees the port authority against any appeal and / or conviction in this regard.

The user will be responsible for all insurance intended to cover his operation in particular in terms of civil liability.

The user insures himself against the risk of fire so as against any accidental event; it guarantees its liability vis-à-vis third parties. It is notably insured for damage caused to the mooring trunk, to the port structures and damage caused to third parties over the entire covered area from the mooring to the landing area for passengers on land. He takes out an Operating regulations for the mooring trunk in Sanary-sur-Mer's bay

insurance policy guaranteeing his civil liability in all cases where it could be sought, in particular because of the public domain occupation. The civil liability policy provides for the waiver of all recourse against the port authority by insurers.

The user sends the insurance certificates as well as a table summarizing the main guarantees taken out at the port authority's first request.

The user will have to do his own business, without recourse against the port authority for any damage caused to the public domain covered by this agreement, due to disturbances, riots, as well as disturbances of enjoyment resulting therefrom.

The user agrees to provide a certificate of liability insurance inherent in the occupation, in the use of the office.

The user will be personally liable toward third parties for the harmful consequences resulting from breaches of the terms and conditions of these regulations, by himself or by one of its members or employees.

ARTICLE 22. LITIGATION

This decree may be the subject of an administrative appeal to the Mayor of Sanary-sur-Mer within two months from its notification. No response within two months constitutes an implied a rejected decision.

A contention appeal can also be brought to the Administrative Court of Toulon (5 Rue Racine - CS40510-83041 TOULON CEDEX 9) within two months, from the notification of the order or from the response of the administration if an administrative appeal has been previously filed.

The Administrative Court may be referred by the computer application "Télérécours citoyens" accessible on www.telerecours.fr