

Reasons for the conditions attached to the Licence MUL230039 pursuant to Section 119(3) of the Act

The Particulars Schedule

TERM

Reason: To ensure the orderly administration of licensed maritime usages in the maritime area.

Condition 4

COMMENCEMENT OF THE PERMITTED MARITIME USAGE

Reason: To ensure the proper management of the maritime area.

Condition 5

COMPLIANCE WITH THE LICENCE AND THE ACT

Reason: To ensure that the Holder carries out the Permitted Maritime Usage in accordance with the licence and the Act.

Condition 6

SPECIFIC CONDITIONS

Reason: To provide for the attachment of conditions to the licence which the Grantor considers necessary and appropriate to the particular circumstances of the licence granted to the Holder.

Condition 7

CHANGE IN CIRCUMSTANCES

Reason: To ensure the Grantor is informed of any material change of circumstances within the meaning of Section 136 of the Act.

Condition 8

INDEMNITY

Reason: For the necessary protection of the Grantor in light of possible risks arising from the Permitted Maritime Usage.

Condition 9

INSURANCE

Reason: To ensure that there is sufficient insurance cover for the Holder to undertake the Permitted Maritime Usage.

Condition 10

TERMINATION OR EXPIRY OF THE LICENCE

Reason: To set out the legal position and obligations of the Holder on termination of the licence.

Condition 11

FORCE MAJEURE

Reason: To clarify the events that excuse non-performance of the Holder's obligations under the licence.

Condition 12

INSPECTIONS

Reason: To ensure the Grantor can evaluate compliance of the Holder with its obligations under the licence and the Act.

Condition 13

EXERCISE OF RIGHTS

Reason: To clarify the manner in which the Holder must exercise the rights granted under the licence.

Condition 14

NOTICES

Reason: To set out the manner in which notices must be served by the Holder upon the Grantor under the licence.

address:

An tÚdarás Rialála Limistéir Mhuirí / Maritime Area Regulatory
Authority
2^ú hUrlár, Teach Menapia, Páirc Ghnó Dhraighní Draighneach Loch
Garman, Y35RF29.
2nd Floor, Menapia House, Drinagh Business Park, Drinagh,
Wexford, Y35RF29.

email:

info@mara.gov.ie

website:

www.maritimeregulator.ie

Condition 15

AMENDMENTS TO THE LICENCE

Reason: To state for the avoidance of doubt that any amendment to the licence must be undertaken in accordance with section 125 of the Act.

Condition 16

SURRENDER OF THE LICENCE

Reason: To state for the avoidance of doubt that any application to surrender the licence must be undertaken in accordance with sections 126 and 127 of the Act.

Condition 17

AUTOMATIC TERMINATION

Reason: To state for the avoidance of doubt that the licence will automatically terminate on the occurrence of any of the events provided for in section 144(1) of the Act.

Condition 18

TERMINATION FOR BREACH

Reason: To state for the avoidance of doubt that the Grantor may terminate the licence for breach in accordance with section 144A of the Act.

Condition 19

GOVERNING LAW AND JURISDICTION

Reason: To clarify that the Holder must submit to the exclusive jurisdiction of the Irish Courts in respect of any dispute and the provisions of this licence shall be construed in accordance with the laws of Ireland.

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2nd Floor, Menapia House, Drinagh Business Park, Drinagh, Wexford, Y35RF29.

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SPECIFIC CONDITIONS:

Condition 20

The Permitted Maritime Usage shall be carried out in accordance with the plans and particulars submitted in support of the application for this Licence.

Reason: In the interest of clarity and to ensure the protection of the marine environment.

Condition 21

This licence is for the purposes of licensing under the Act and nothing in this licence shall be construed as negating the Holder's statutory obligations or requirements under any other Law.

Reason: To clarify the scope of this licence.

Condition 22

Prior to the commencement of the Permitted Maritime Usage the Holder shall, through consultation and agreement with the Department of Transport, Marine Survey Office and Commissioners of Irish Lights, arrange for the publication of a Marine Notice through the Maritime Safety Policy Division. Navtext and radio broadcast warnings frequency to be agreed with the Irish Coast Guard.

Reason: In the interest of navigational safety.

Condition 23

The Holder shall not damage or interfere with any third party's property, infrastructure or fishing gear while conducting the Permitted Maritime Usage.

Reason: To ensure the orderly undertaking of the proposed maritime usage.

Condition 24

The Holder shall ensure that all vessels engaged in this Permitted Maritime Usage conform to Irish Certification standards for vessels, as required by the Marine Survey Office.

Reason: To ensure protection of the marine environment.

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Condition 25

The Holder shall take all reasonable practical measures to ensure that all vessels used for the Permitted Maritime Usage are free of invasive marine species on their hulls and in their ballast water.

Reason: To ensure protection of the marine environment.

Condition 26

The Holder shall keep the following documents together and available for inspection by the Grantor:

- i. a copy of the licence related to this Permitted Maritime Usage;
- ii. all correspondence with the Grantor;
- iii. up to date drawings, plans and maps relating to the Permitted Maritime Usage;
- iv. Such records and/or photographs required to demonstrate compliance by the Holder with the Specific Conditions
- v. marine positional log; to demonstrate compliance with the terms of the licence, including ensuring that the activity occurs within the licensed area; and
- vi. any elements of the licence application and associated documentation referenced in this licence.

Reason: To provide appropriate controls on the Permitted Maritime Usage to ensure the protection of the marine environment.

Condition 27

Accidental events

The Holder shall ensure that there is an oil pollution emergency plan on-board any survey vessels. This plan should specify:

- i. Information on the location and detail of spill response resources on-board;
- ii. Information on crew training in relation to oil pollution response;
- iii. How crew will interface with other site investigation operators, where applicable.

Reason: To provide appropriate controls on the Permitted Maritime Usage to ensure the protection of the marine environment.

MARA

An tÚdarás Rialála Limistéir Mhuirí
Maritime Area Regulatory Authority

address:

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