

**Reasons for the conditions attached to the Licence MUL240035 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

**DOCUMENTATION**

Reason: To provide appropriate controls on the maritime usage activity to ensure protection of the marine environment.

Condition 14

**EXERCISE OF RIGHTS**

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

Condition 15

### **NOTICES**

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

Condition 16

### **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 17

### **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 18

### **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 19

### **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 20

### **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.

## **SPECIFIC CONDITIONS**

### Condition 21

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: To clarify the scope of the licence.

### Condition 22

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 the licence.

### Condition 23

The Holder shall, a minimum 14 days prior to the commencement of the Permitted Maritime Usage, arrange for the publication of a Marine Notice with the Marine Safety Policy Division, Department of Transport.

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

### Condition 24

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 25

Prior to the commencement of the Permitted Maritime Usage the Holder shall consult with the Port of Cork Company to plan and schedule the Permitted Maritime Usage in order that any potential disruption to port operations is managed.

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

#### Condition 26

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 the orderly undertaking of the proposed maritime usage

#### Condition 27

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 ensure the orderly undertaking of the proposed maritime usage.

#### Condition 28

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

Information on the location and detail of spill response resources on-board;

Information on crew training in relation to oil pollution response;

How crew will interface with other site investigation operators, where applicable.

Reason: To ensure the protection of the marine environment.

#### Condition 29

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

Reason: To ensure the protection of the marine environment.