

Code of Conduct for Responsible Whale and Dolphin Watching

Contractual Amendment for TUI Cruises

Introduction

TUI Cruises is committed to sustainability and to the responsible and respectful treatment of the environment. One central aspect of our Sustainability Strategy 2030 is the maintenance of biodiversity and the protection of natural habitats during shore excursions. This holds relevance concerning whale and dolphin-watching excursions. For this reason, TUI Cruises created a code of conduct for contracted operators that offer whale and dolphin-watching tours.

In addition to the original contract, this amendment should strengthen TUI Cruises' corporate mission regarding environmental protection and responsibility for ecological sustainability. All terms and conditions of the contract not explicitly amended herein shall remain in full force and effect. In addition to complying with relevant local and national laws on the subject, operators shall adhere to the following aspects in all conscience.

General Guidelines

- 1) The operator shall act according to local and national whale-watching guidelines and regulations (e.g. the Whale Watching Handbook from the International Whaling Commission).
- 2) In polar regions, the standards set out in the operational procedures for whale watching by the International Association of Antarctica Tour Operators (IAATO) in Antarctica and the Association of Arctic Expedition Cruise Operators (AECO) in the Arctic shall be followed by the tour operator.
- 3) The operator shall be committed to the TUI Cruises guidelines if these prescribe a higher standard of protection for whales and dolphins than the existing local and national guidelines and regulations.
- 4) The operator shall be accredited by the relevant environmental management authority and should have an official license to offer whale and dolphin-watching excursions where an appropriate licensing scheme exists.
- 5) The operator shall be committed to operating on board in an environmentally friendly manner. Pollutants and food waste must not be discharged into the water, and noise generated by the vessel and persons on board shall be kept to a minimum at all times.

Education of the Tourist

- 6) On each excursion, a qualified guide shall be on board to inform tourists about the animals, their environment, and the importance of protecting them. The guide shall adhere to all local and national guidelines and regulations and shall be committed to this code of conduct. Alternatively, the skipper shall undertake the aforementioned tasks if no qualified guide is present.
- 7) Tourists shall be educated by the guide or skipper at the beginning of the excursion (during a briefing) about appropriate behavior on whale and dolphin watching excursions:
 - Swimming with whales and dolphins is not allowed. Tourists need to be informed of the reasons for this instruction, namely that the disturbance of wild population shall be kept to a minimum in this way.
 - Feeding or touching whales and dolphins is not allowed.
 - Disposing of rubbish, litter, or contaminants in the water is prohibited.
 - Noise should be kept to a minimum.
 - Do not use flash when taking photographs.

- Whale and dolphin research and conservation work is costly and often difficult. Tourists may be encouraged to donate to local conservation and research organizations.

Vessel Conduct (see graphics below)

8) No Approach Zone

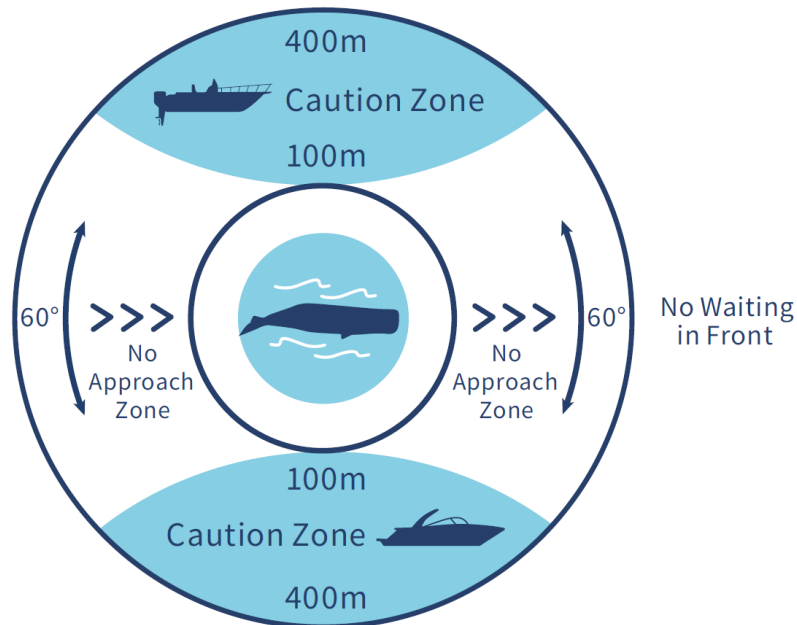
- The no-approach zone is 100 meters (approx. 300 ft) around an individual whale or group and extends to 400 meters (approx. 1300 ft) in the area directly in front of or behind a whale or a group. The no-approach zone around a dolphin or dolphin group is 50 meters (approx. 150 ft) and extends to 150 meters (approx. 500 ft) in the area directly in front of or behind the animal(s).
- Vessels should avoid approaching whales and dolphins from the area directly in front or behind them. The vessels must never cross or place themselves in front of traveling animals.
- The no-approach zone for mothers with calves is 300 meters (approx. 1000 ft).
- Watch out for signs of feeding (e.g., underwater bubbles/shoals of birds/fish or krill shoals). Do not approach feeding baleen whales closer than 200m (approx. 600 ft.).

9) Caution Zone

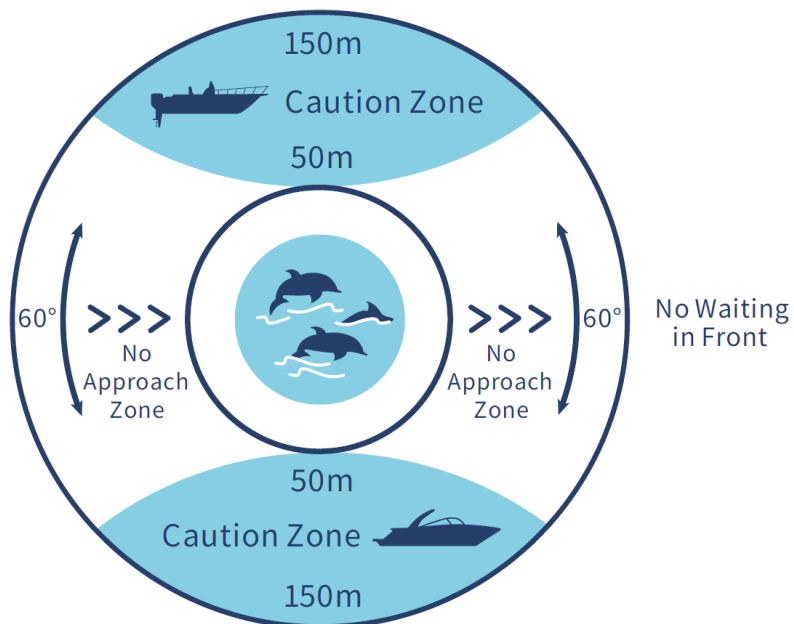
- Vessels may only navigate in the area to the flank of whales and dolphins, called the caution zone. The caution zone extends 100 to 400 meters (approx. 300 to 1300 ft) on either side of the whale or whale group; the corresponding zone for dolphins and dolphin groups is 50 to 150 meters (approx. 150 to 500 ft).
- Vessels may only approach and leave whales and dolphins slightly to the animal's rear at a 60° angle, not head-on or directly from behind.
- No more than three vessels are allowed within the caution zone simultaneously.

- 10)** Vessels must never pursue, overtake, move between, encircle, or separate whales and dolphins intentionally.
- 11)** Vessels shall approach whales and dolphins at no-wake speed (maximum 5 knots) and should not accelerate beyond the slowest individual of a group of animals. Sudden changes in speed and direction should be avoided.
- 12)** The maximum observation time per vessel is 30 minutes. It should be reduced to 15 minutes for resting or feeding animals or mothers with calves.
- 13)** Vessels shall cease the activity when the whale or dolphin shows signs of avoidance or disturbance and shall leave the caution zone at no-wake speed (maximum 5 knots). The following behavior may indicate disturbance:
 - Attempts to leave the area or move away from the vessel;
 - Repeated changes in direction or speed of swimming;
 - Hasty dives;
 - Changes in breathing patterns;
 - Increased time spent diving compared to time spent at the surface;
 - Changes in acoustic behavior and
 - Aggressive behavior such as tail slashes and trumpet blows.
 - Any other obvious startle reaction.
- 14)** Breaching, tail-lobbing, tail-slapping, and pectoral flipper slapping may indicate that whales are socializing or feeding, which means they may be less likely to notice nearby vessels visually or audibly. Maintain a distance of at least 400 meters (approx. 1,300 feet) to ensure safety. These behaviors can also be signs of stress.
- 15)** Vessels shall not intentionally attract whales and dolphins, e.g. by speeding up to elicit bow-riding behavior.
- 16)** When animals bow ride, the operator should maintain course and slow speed. If the operator needs to stop, the speed shall be reduced gradually as long as passenger safety is not compromised.

- 17) Marine mammals may approach vessels and, if they choose to interact, may stay nearby. In these cases, it is recommended for the vessel to drift passively, taking into account wind and currents to avoid getting too close and to remain mindful of other safety considerations. However, even while drifting at a safe distance, vessels should avoid drifting directly into the whale's path, as this could be seen as an intentional approach. Ensuring that the animal remains in control of interactions closer than 100 meters is essential at all times.



Whale Approach Distances



Dolphin Approach Distances