

RELEASE OF LIABILITY AND ASSUMPTION OF RISK

PLEASE READ CAREFULLY – THIS IS AN IMPORTANT LEGAL DOCUMENT

This Agreement is entered into between the undersigned participant (“Participant”) and the vessel operator, including its owners, managers, officers, crew members, naturalist guides, employees, contractors and affiliated entities (collectively, the “Operator”).

This Agreement applies to voluntary participation in all activities conducted during the cruise in the Galápagos Islands, Ecuador.

1. Nature of Expedition Travel

I understand that travel in the Galápagos Islands constitutes an expedition-style experience in a remote environment, where medical facilities and evacuation options may be limited.

2. Nature of the Activities

I acknowledge that my participation may include, but is not limited to:

- Snorkelling (shore and deep-water)
- Kayaking and paddleboarding (if applicable)
- Dinghy (panga) transfers and wet and dry landings
- Guided nature walks over uneven, rocky, volcanic, sandy or slippery terrain, including natural steps, sharp lava formations, and unstable or wet surfaces

These activities, while professionally guided, take place in natural environments and may involve inherent risks and conditions beyond the Operator’s control, including, but not limited to, slips, trips and falls, water-related incidents, changing weather conditions, and physical exertion.

Participation requires attention, awareness, and adherence to all instructions provided by the naturalist guide and crew at all times.

3. Voluntary Participation and Assumption of Risk

I voluntarily assume full responsibility for all risks associated with my participation in these activities, whether foreseen or unforeseen.

4. Health Declaration

The Participant confirms that he/she:

- Is physically fit and able to participate safely in the activities included in the itinerary;
- Does not suffer from any medical condition that would make participation unsafe;
- Is not under the influence of alcohol, drugs or medication that may impair judgment or physical ability.

The Participant agrees to inform the guide immediately of any discomfort or medical concern and authorises emergency medical assistance if necessary, at the Participant’s expense.

The Participant further agrees to comply with all Galápagos National Park regulations, including maintaining an appropriate distance from wildlife, avoiding any disturbance to animals, and refraining from removing any natural elements.

Failure to comply with these regulations or with instructions provided by the guide or crew may result in suspension from participation in activities.

5. Release and Limitation of Liability

To the fullest extent permitted by applicable law, I hereby release and hold harmless the Operator its owners, vessel, crew, guides, and affiliated entities from any liability for injury, loss, or damage arising from my participation in the above-mentioned activities, except in cases of gross negligence or willful misconduct.

6. Responsibility and Conduct

The Participant agrees to:

- Follow all instructions given by the naturalist guide and crew;
- Use required safety equipment as instructed;
- Remain within designated areas authorized by the Galápagos National Park;
- Respect wildlife and environmental regulations;
- Refrain from participating independently or outside supervised conditions.

The Operator reserves the right to suspend participation if safety instructions are not followed.

7. Equipment

Snorkeling, kayaking and paddle boarding (if applicable) equipment is provided for use during the cruise. The Participant agrees to use equipment responsibly and may be charged for loss or damage beyond normal wear and tear.

8. Minors

Participants under 18 years of age must have this Agreement signed by a parent or legal guardian, who accepts these terms on the minor's behalf.

9. Governing Law

This Agreement shall be governed by the laws of the Republic of Ecuador. If any provision is determined to be invalid or unenforceable, the remaining provisions shall remain in full force and effect.

Acknowledgment

I confirm that I have read and understood the terms of this Release of Liability and Assumption of Risk and acknowledge that this document forms part of the onboard guest procedures and must be completed prior to participating in any activities.

ANNEX I – DESCRIPTION OF ACTIVITIES AND SAFETY GUIDELINES

SNORKELING

Activity Overview

Snorkeling offers a unique opportunity to experience the Galápagos Marine Reserve, home to sea lions, marine turtles, rays, reef fish, marine iguanas, penguins and, occasionally, sharks. All snorkeling activities are supervised by a certified naturalist guide and may only take place at designated sites approved for visitor use. Final authorization for each outing is subject to sea, weather and safety conditions.

Snorkeling Equipment

A complete snorkeling set (mask, snorkel and fins) is provided on board for guest use at no additional charge.

Guests may keep the assigned equipment in their cabin during the cruise. Equipment must be:

- Rinsed with fresh water after each use
- Stored properly in the provided bag
- Returned in complete condition at the end of the cruise

Participants are responsible for equipment assigned to them. Loss or damage beyond normal wear and tear may result in replacement charges.

Mandatory Safety Guidelines

Participants must:

- Attend the snorkeling safety briefing before the first activity
- Ensure mask fits properly and does not leak
- Understand how to clear water from the snorkel before entering deep water
- Practice in shallow water if inexperienced
- Enter the water feet-first unless otherwise instructed
- Wear fins only when appropriate (generally once in waist-deep water or when entering from a dinghy as instructed)
- Maintain visual contact with the guide and group at all times
- Remain within the designated snorkeling area
- Exit the water immediately if instructed by the guide

Health and Physical Requirements

Participants must:

- Be able to swim confidently in open water
- Feel comfortable in changing sea conditions
- Inform the guide of any medical conditions prior to participation

Snorkeling is not recommended for individuals who:

- Have serious cardiovascular conditions
- Have uncontrolled respiratory disorders
- Are prone to panic in open water
- Are under the influence of alcohol

Participants experiencing fatigue, dizziness, strong currents or discomfort must signal the guide immediately and return calmly to the designated exit point.

Environmental Protection Rules

The Galápagos Marine Reserve is a strictly protected ecosystem. Respect for wildlife is mandatory

and enforced by park regulations.

Participants must:

- Never touch, chase, feed or disturb wildlife
- Maintain appropriate distance from animals
- Avoid standing on coral or rocky marine formations
- Avoid sudden or aggressive movements that may frighten wildlife
- Never collect natural elements

KAYAKING & PADDLEBOARDING (if applicable)

Activity Overview

Kayaking and paddleboarding offer a quiet and environmentally responsible way to explore the coastline and observe wildlife from the water surface. These activities are conducted only at authorised visitor sites and are subject to weather, wind and sea conditions. The naturalist guide will determine whether the activity may proceed at each location.

A limited number of kayaks (double kayaks) and paddleboards are available on board. Usage time may be assigned when demand exceeds capacity. Paddleboarding requires an additional level of balance and coordination.

Equipment and Preparation

Kayaks and/or paddleboards, paddles and life vests are provided free of charge. Hydration is essential. Water may be taken on board in a secured container.

Participants must:

- • Wear a properly secured life vest at all times
- • Adjust equipment under crew supervision
- • Use sun protection (hat, UV clothing, sunscreen)
- • Secure sunglasses with a strap
- • Carry a whistle or signalling device when instructed
- • Attend the safety briefing prior to the first activity

For paddleboarding, if applicable, participants must also:

- Receive basic instruction on balance, paddling technique and safe positioning before entering the water

In Case of Capsizing

If a kayak capsizes or a participant falls from a paddleboard:

- Remain calm
- Stay with the equipment (kayak or paddleboard) and paddle

- Use the whistle or signalling device to request assistance
- Wait for instructions from the guide or crew before taking further action

Participants must not attempt to swim long distances independently.

Environmental and Conduct Rules

Participants must:

- Avoid contact with rocks, cliffs, flora and fauna
- Not attempt to land in unauthorised areas
- Respect wildlife viewing distances

- Comply fully with Galápagos National Park regulations
- Maintain a safe distance from other participants and vessels
- Avoid sudden movements that may disturb wildlife or affect balance

Failure to follow instructions or environmental regulations may result in immediate suspension from the activity.

Final Statement

Snorkeling and kayaking are enriching experiences designed to connect guests with the extraordinary marine environment of the Galápagos Islands. Safety, environmental responsibility and respect for natural conditions are essential components of these activities.

Participation is conditional upon compliance with all instructions provided by the naturalist guide and crew.