

SNORKELING AND KAYAKING 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 snorkeling and kayaking activities conducted during the cruise in the Galápagos Islands, Ecuador.

1. Nature of the Activities

Snorkeling and kayaking are conducted in open-water, natural environments within a protected marine reserve. While professionally guided and carefully managed, these activities involve inherent and unpredictable elements beyond the Operator’s control.

Such risks may include, without limitation:

- Ocean currents, tides, waves, wind and weather changes
- Slipping, falling, capsizing or immersion in water
- Encounters with marine wildlife
- Sun exposure, dehydration or fatigue
- Equipment malfunction
- Limited or delayed access to medical facilities due to the remote location

Participation may result in personal injury, illness, property damage or, in exceptional circumstances, serious harm.

2. Voluntary Participation and Assumption of Risk

The Participant voluntarily chooses to participate and freely assumes the inherent risks associated with these activities.

3. Release and Limitation of Liability

To the fullest extent permitted by applicable law, the Participant agrees that the Operator shall not be liable for injury, loss or damage arising from the inherent risks of snorkeling or kayaking activities.

Nothing in this Agreement excludes or limits liability for gross negligence, willful misconduct, or any liability that cannot be lawfully excluded under applicable law.

4. Health Declaration

The Participant confirms that he/she:

- Is physically fit and able to swim comfortably in open water;
- Does not suffer from a 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 authorizes emergency medical assistance if necessary, at the Participant’s expense.

5. Responsibility and Conduct

The Participant agrees to:

- Follow all instructions given by the naturalist guide and crew;

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

Activity Overview

Kayaking offers a quiet and environmentally responsible way to explore the coastline and observe wildlife from the water surface. Kayaking is conducted only at authorized visitor sites and is subject to weather, wind and sea conditions. The guide will determine whether kayaking can proceed at each location. A limited number of double kayaks are available on board. Usage time may be assigned when demand exceeds capacity.

Equipment and Preparation

Kayaks, paddles and life vests are provided free of charge. Hydration is essential. Water may be taken on board the kayak 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 signaling device when instructed

In Case of Capsizing

If a kayak capsizes:

- Remain calm
- Hold onto the kayak and paddle
- Use the whistle or signal for assistance
- Wait for instructions from the guide or crew

Participants should 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 unauthorized areas
- Respect wildlife viewing distances
- Comply fully with Galápagos National Park regulations

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.