

TERMS AND CONDITIONS FOR BUNKERING OPERATIONS AT QUAY 526 - 528 IN THE PORT OF ANTWERP

1. DEFINITIONS

The words and expressions written with capital letters that are used herein have the following meaning:

"Bunker Location"	means quay 526 - 528 in the Port of Antwerp
"Bunkering Checklist"	means the checklist to be completed by the Ship Captain and Operator upon approval of a Request, in the form as set out and as available at the website www.lngbunkeringportofantwerp.com , and as it may be modified over time upon sole decision of Fluxys Bunkering
"Bunkering Operation"	means the bunkering of a ship moored at quay 526 - 528 with LNG supplied by the Fuel Supplier, by means of one or more trucks
"Fuel Supplier"	means the person or entity nominated in the Request as the fuel supplier
"Operator"	means, in respect of a Bunkering Operation, the LNG truck transport company who delivers LNG on behalf of the Fuel Supplier to the ship.
"Request"	means the request for bunkering permission made by the Ship Captain – Shipping Company or the Fuel Supplier via the webform available at the website www.lngbunkeringportofantwerp.com
"Ship Captain"	means the captain of the ship which is to be bunkered at the Bunker Location by the Fuel Supplier

2. REQUEST FOR BUNKERING PERMISSION

- 2.1 The Ship Captain or the Fuel Supplier, as the case may be, must submit its request for bunkering permission (the "Request") as soon as possible and at the latest 24 hours prior to the time that the Ship Captain wishes access to the quay 526 – 528 for truck to ship LNG bunkering
- 2.2 After receipt of the Request, Fluxys Bunkering will process the Request as swiftly as reasonable possible. Approval will only be granted if a valid agreement for truck to ship LNG bunkering exists between Fluxys Bunkering and the Fuel Supplier.
- 2.3 After approval of the Request, Fluxys Bunkering sends an e-mail to confirm the approval of the Request to the Ship Captain and Fuel Supplier.
- 2.4 If the Request is declined, the Fuel Supplier, Ship Captain and Operator shall not be permitted access to the Bunker Location, or to perform any bunkering activities. Fluxys Bunkering shall send

to the Ship Captain and Fuel Supplier an e-mail with the reason(s) why the Request has not been approved.

- 2.5 When the Request is declined due to the reasons related to the requested time window, Fluxys Bunkering will suggest, if reasonably possible, an alternative time window close to the time window requested. This new time window could be accepted or the Ship Captain or the Fuel Supplier can suggest another time window. Fluxys Bunkering will then consider the updated Request for approval according to the procedure set out above.

3. BUNKERING CHECKLIST AND FURTHER BUNKERING PROCESS

3.1 Bunkering Checklist

The Ship Captain must fill out the Bunkering Checklist together with the Operator, and must send the completed and signed (by the Ship Captain and the Operator) Bunkering Checklist to Toelatingen.HKD@portofantwerp.com, before starting the LNG bunkering procedure.

3.2 Bunkering Process

The Ship Captain must inform Fluxys Bunkering about the actual time of arrival at and departure from the Bunker Location, and about possible other requests for changes of the Request. Any such request for changes will be deemed to be a new Request and handled according to the procedure set out in article 0 of this Agreement.

3.3 Truck to ship bunkering is not allowed (regardless whether a Request has been approved or not):

- (a) in the event of wind forces above 8 Beaufort. If the wind has a force above 6 Beaufort, an additional permission must be requested from Fluxys Bunkering;
- (b) during a thunderstorm;

The Ship Captain must monitor the weather conditions at all times.

4. LIABILITY OF THE FUEL SUPPLIER AND THE SHIP CAPTAIN

- 4.1 The Ship Captain is, jointly with the Fuel Supplier, responsible for the LNG bunkering operations (including the security at the Bunker Location, compliance with all applicable regulations and procedures for the LNG bunkering operation and the supervision of the LNG bunkering operation). The Ship Captain must provide the necessary instructions to the Operator in order to ensure that the bunkering activities occur under safe and efficient conditions.

- 4.2 The Ship Captain, together with the Fuel Supplier, is always fully liable for all direct and indirect damages to the Fluxys Bunkering as a result of an LNG bunkering operation.

- 4.3 The Ship Captain will indemnify and hold the Fluxys Bunkering harmless for all damages and claims from the Port of Antwerp, the Operator or other third parties, in connection with the LNG bunkering operation at the Bunker Location whether attributable or not to misconduct or negligence of either of them.

- 4.4 Fluxys Bunkering does not assume any liability in connection with the bunkering operation which is hereby excluded to the fullest possible extent.