

ACTION PLAN FOR THE PURPOSES OF MEASURE 5, PARAGRAPH 5 OF ANNEX A TO RESOLUTION NO. 96/2018 OF 4 OCTOBER 2018

Introduction

This Action Plan (the “**Plan**”), drawn up in accordance with Measure 5, paragraph 5 of Annex A to TRA Deliberation No. 96/2018 of 4 October 2018 (the “**Deliberation No. 96/2018**”) governs cases of service disruption due to the malfunctioning of the ship used to deliver the concession contract for the public service of maritime transport of passengers, vehicles and goods between Naples, Cagliari, Palermo and vice versa - CIG 8648427BB9 - C.U.P. D69J21000210001 (hereinafter the “**Service Agreement**”).

In particular, the Plan identifies the actions that Grimaldi Euromed S.p.A. (the “**Shipping Company**”) will take in order to ensure that travellers reach their final destination by means of an adequate replacement service.

The following elements have been identified:

- 1) cases of service disruption;
- 2) the organisational procedures and methods, and the procedures for accessing the replacement service;
- 3) the procedures for managing information and communications to users and the Awarding Entity;
- 4) the conditions for providing assistance to passengers on board and on shore.

The above is subject in any event to the provisions of Regulation No. 1177/2010 of the European Parliament and of the Council relative to the rights of passengers travelling by sea and inland waterways, amending the Regulation (EC) No. 2006/2004 (hereinafter “**Regulation No. 1177/2010**”).

1. Cases of service disruption

In accordance with Annex B to the Service Agreement, in the event of a fault the Company will guarantee a replacement ship within 48 hours of the incident.

Accordingly, by effect of this Plan, the following scenarios will be considered “service disruptions”:

- A. Malfunctioning of the ship resulting in cancellation of the service but which allows full functionality to be restored within 48 hours of the incident occurring;
- B. Malfunctioning of the ship resulting in cancellation of the service which does not allow full functionality to be restored within 48 hours of the incident occurring.

2. Organisational procedures and methods and access to replacement services

If a service disruption occurs as defined in point 1 A, the Company:

- will promptly start the procedures indicated in point 3, informing the competent offices;
- restore the ship to functionality, with the assistance of external technical personnel if necessary;
- monitor the intervention times in order to verify whether the circumstances fall within the definitions given in point 1 B.

If a service disruption occurs as defined in point 1 B, the Company:

- will promptly start the procedures indicated in point 3, informing the competent offices;
- restore the ship to functionality, with the assistance of external technical personnel if necessary;
- will provide a replacement ship within 48 hours from the fault occurring;
- will monitor the intervention times in order to plan the date on which the ship will return to service.

If the Company considers it likely that one of the cases of service disruption as indicated in point 1 will arise, in accordance with Art. 18 of Regulation No. 1177/2010, passengers will immediately be offered a choice of:

- alternative transport to the final destination under similar conditions, as indicated in the transport contract, as soon as possible and at no extra charge;
- reimbursement of the ticket price and, where appropriate, return, free of charge, to the first point of departure indicated in the transport contract, as soon as possible.

Likewise, if a passenger service is cancelled as a result of one of the cases of service disruption as indicated in point 1 the Company will immediately offer the passenger a choice between alternative transport and reimbursement of the ticket price.

Without prejudice to the above, the Company will guarantee an adequate replacement service, to be provided:

- by transfer to another service, possibly operated by another sea transport company, or, in the case of a service disruption indicated in point 1 B, by activating a reserve ship;
- without any additional charge to passengers and with adequate mileage reimbursement in the case of a connection from or to a port other than the one indicated in the transport contract;
- with a number of ships of similar type, proportionate to the number of passengers on the cancelled ship;
- in comfortable conditions, at least equal to those available on the cancelled service;
- including all the stops provided for in the cancelled route;
- with all the on-shore services that guarantee passenger accommodation, in relation to the duration of the waiting time and in accordance with the requirements of Art. 17 of Regulation No. 1177/2010, as described in more detail in point 4.

As indicated in the Service Agreement, in the case of a service disruption as indicated in point 1 B, the replacement ship will be made available within 48 hours from the incident occurring.

3. Procedures for managing information and communications to passengers and to the Awarding Entity

In the case of a service disruption as indicated in point 1 the Company will provide passengers on board and on shore, at the embarkation points, with static and dynamic information that is complete, timely and up to date, in accordance with Measures 6 and 7 of Annex A to Deliberation No. 96/2018.

In particular, the Company will:

1. start the procedure of giving notice of cancellation as per Regulation No. 1177/2010. Depending on when the Company becomes aware of the malfunction, the procedure will be as follows:
 - if the service disruption occurs before the check-in opens, the Company will send all passengers a text or email written in Italian, English, Spanish and French;
 - if the service disruption occurs after the check-in time, the Company will inform passengers at the terminal in communications issued in Italian and English (by intercom and/or posters);
 - if the service disruption occurs after embarkation, the Company will inform passengers directly on board, by issuing communications in Italian and English.
2. whenever the situation changes, updates (such as the time of arrival and departure, and the port of arrival/departure) will be provided as follows:
 - posters at the terminals, containing specific information about the cancellation/termination of the service, including the reasons for the service disruption;
 - instant updates in the section “REAL-TIME UPDATES OF TIMES AND DEPARTURES FOR CONVENTION LINES” on the Company’s web page (www.grimaldi.lines-com) in updates provided in Italian, English, Spanish, German and French and accessible to PRMs.

In the event of a service disruption as defined in point 1 B, the Company will inform passengers of any changes to the service due to the need to use a different ship (on-board facilities/accommodation) and will take all the appropriate measures.

In any case, the Company will duly inform the Ministry of the termination of the service by the end of the first working day after the day on which the event occurred.

If the reserve ship is launched in the case of service disruptions as defined in point 1 B, the communication will contain the details of the reserve ship and the time period within which it will be deployed.

Within 48 hours of the occurrence of a service disruption as indicated in point 1, the Company will also inform the Awarding Entity by sending a communication summarising the actions taken to fulfil its obligations.

4. Conditions for providing assistance to passengers on board and on shore

If the Company reasonably expects that the departure of a passenger ship will be cancelled, in accordance with Art. 17 of Regulation 1177/2010, passengers leaving from port terminals will be offered snacks, meals or refreshments, depending on the duration of the waiting time, provided that food supplies are available or can be reasonably supplied.

Likewise, in the event of a cancellation that requires an overnight stay for one or more nights or a longer stay than was expected by the passenger, where physically possible, the Company will offer passengers leaving from port terminals free on-board or on-shore accommodation and transport between the port terminal and the place of accommodation, plus snacks, meals or drinks as indicated above.