

# Notice to Customer

26 April 2022

In response to the impact of COVID-19, the Australian Federal Government implemented a ban on cruise ships entering Australian ports as of 15 March 2020 ('Federal Cruise Ban'). The Federal Cruise Ban was lifted on 17 April 2022.

In response to the lifting of the Federal Cruise Ban, Port Authority of New South Wales ('Port Authority') has considered how it can assist the cruise industry to resume operations in the 2022/23 cruise season. As a result, Port Authority proposes to implement the following temporary measures in relation to the implementation of its Cruise Booking Policy ('Policy').

For the period from the lifting of the Federal Cruise Ban there will be a 12-week Grace Period (i.e. 17 April 2022 to 9 July 2022) ('Grace Period'), during which cruise operators may make certain changes or cancellations to their eligible bookings. 'Eligible Bookings' are bookings for a cruise berthing slot ('Slot') at a Port Authority cruise terminal berth:

- for vessel arrival between the start of the Grace Period and **30 June 2023**; and
- confirmed in writing as accepted by Port Authority prior to the start of the Grace Period.

During the Grace Period, on request, the following will apply to Eligible Bookings:

- a) For cancellation of an Eligible Booking which would ordinarily attract:
  - i. a booking cancellation fee ('Cancellation Fee') under the Policy of 100% of the site occupation charge applicable for that vessel, 20% of the applicable Cancellation Fee will be waived;
  - ii. a Cancellation Fee of 50% of the site occupation charge applicable for that vessel, 10% of the applicable Cancellation Fee will be waived; and
  - iii. a Cancellation Fee of 25% of the site occupation charge applicable for that vessel, 5% of the applicable Cancellation Fee will be waived.
- b) If an Eligible Booking is cancelled but a new booking is contemporaneously made and accepted by Port Authority for the same Slot by the same vessel owner for a different vessel in its corporate fleet:
  - i. for a vessel of equal or greater passenger capacity than the original vessel booked for that Slot, Port Authority will waive 100% of the Cancellation Fee; and
  - ii. for a vessel of lesser passenger capacity than the original vessel booked for that Slot, Port Authority will waive the applicable Booking Cancellation Fee, save for an amount equivalent to the 'extra-over' charge which would have been applied to the passenger number difference between the original and new vessel capacity<sup>1</sup>.
- c) If an Eligible Booking is cancelled but a new booking is contemporaneously made and accepted by Port Authority for the same vessel for a different Slot, Port Authority will waive 100% of the Cancellation Fee

At the conclusion of the Grace Period, the above will cease to apply and the original positions on Cancellation Fees under the Policy will come back into effect.

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<sup>1</sup> for example, if a cancelled vessel capacity was 1,000pax but a replacement vessel capacity is 750pax, then the amount continued to be levied will be the site occupation charge applicable for that vessel calculated on 250 pax