

Maritime Passenger Rights

Requirements for Carriers

Information on the provisions of the EU Regulation concerning the rights of passengers when travelling by sea and inland waterway (Regulation (EU) No. 1177/2010)

Department of Transport, Tourism and Sport

*PLEASE NOTE THIS DOCUMENT IS DESIGNED TO PROVIDE
GUIDANCE AND DOES NOT PURPORT TO BE A LEGAL
INTERPRETATION OF THE LAW.*

Maritime Passenger Rights Regulation

Regulation (EU) No. 1177/2010 of the European Parliament and of the Council of 24 November 2010 concerning the rights of passengers when travelling by sea and inland waterway and amending Regulation (EC) No 2006/2004 was published on 17 December 2010. The Regulation will become effective from 18 December 2012.

SI 394 of 2012 designates the National Transport Authority as the responsible national enforcement body for the purposes of the Regulation in Ireland.

The objective of the Regulation is to ensure a high level of protection for passengers using waterborne transport anywhere in the European Union (EU) by establishing certain rights and a minimum quality of service across the EU. The Regulation is similar to those in the aviation, rail and bus/coach sectors.

The rights include non-discrimination and assistance for disabled persons and persons with reduced mobility, provision of information to all passengers before and during their journey, assistance to all passengers in the event of delays and in certain circumstances compensation for delays and cancellation of journeys. Provision is also made for the handling of complaints and general rules on enforcement. The Regulation places certain obligations on carriers (ship operators), port or terminal operators, travel agents and tour operators.

About this document

This document is for information purposes only, is not part of Regulation No. 1177/2010, and does not purport to be a legal interpretation of the Regulation. It is recommended, if the Regulation applies to your service, port or terminal, that you read the full text of the Regulation, which is available at: <http://eur-lex.europa.eu/JOHtml.do?uri=OJ:L:2010:334:SOM:EN:HTML>

In addition to general information on the Regulation, this document contains a list of sample Questions and Answers to help carriers (ship operators) understand what is required of them under the Regulation. Separate Information Notes have been prepared for terminal operators/port authorities and passengers and are available upon request.

The Regulation applies to passengers travelling on:

- Maritime passenger services where the port of embarkation is in a Member State of the EU (e.g. Ireland)
- Maritime passenger services where the port of embarkation is outside a Member State and disembarkation is in a Member State provided that the service is operated by a European Union carrier
- Cruises where the port of embarkation is in a Member State of the EU with exceptions on re-routing and reimbursement, and compensation for delay in arrival.
- A passenger ship which:
 - (i) is certified to carry more than 12 passengers;
 - (ii) has a crew responsible for the operation of the ship composed of 4 or more persons;
 - (iii) is not an historical passenger ship certified to carry up to 36 passengers.
- A maritime journey that is more than 500 metres one way and is not an excursion or sightseeing tour (other than cruises).

The Regulation does not apply to passengers travelling on:

- Ships certified to carry up to 12 passengers
- Ships which have a crew responsible for the operation of the ship composed of 3 or less persons
- Passenger services where the distance of the overall passenger service is less than 500 metres one way
- Excursion and sightseeing tours other than cruises, or
- Ships not propelled by mechanical means as well as original and individual replicas of historical passenger ships designed before 1965, built predominantly with the original materials, and certified to carry up to 36 passengers.

Key Points

1. **Right to Transport** – Carriers¹ must not refuse to accept a reservation, to issue or otherwise provide a ticket or to embark persons on the grounds of disability or of reduced mobility as such.
2. Reservations and tickets must be offered to disabled persons and persons with reduced mobility at no additional cost under the same conditions that apply to all other passengers.
3. When exceptions to the right to transport arise and a carrier refuses to accept a reservation or to issue a ticket, the carrier must make all reasonable efforts to propose to the person concerned an acceptable alternative transport.
4. Carriers and port operators must **provide passengers with information on their rights** and the accessibility of their facilities. Information is to be made available in accessible formats².
5. Passengers with disabilities or reduced mobility will be protected against discrimination when booking a journey and, providing they notify the carrier at the latest 48 hours in advance (unless a shorter period is agreed), they will, in so far as possible, receive **appropriate assistance at embarkation and disembarkation as well as on board**. Carriers, terminal operators, travel agents³ or tour operators⁴ are required to put in place arrangements for the request and receipt of such notifications.
6. Where the carrier, travel agent or tour operator requires a disabled person or person with reduced mobility to be accompanied by a person capable of providing assistance to them, such accompanying person must be carried free of charge.
7. Carriers will be **liable for loss** suffered as a result of the loss of or damage to mobility equipment or other specific equipment used by a disabled person or person with reduced mobility if the fault lies with them. Similar provisions apply to terminal operators.
8. Carriers must provide **disability-related instruction or training** for relevant staff.

¹ In the Regulation a **carrier** is defined as a natural or legal person, other than a tour operator, travel agent or ticket vendor, offering transport by passenger services or cruises to the general public.

² **Accessible formats** of information include Braille, audio, video, larger type and 'easy-to-read' formats, electronic screens or display boards, induction loop systems to accommodate hearing aid users, accessible website designs, etc. - see Chapter 4 of the Guidelines for Accessible Maritime Passenger Transport document for more information.

³ **Travel agent** is defined as any retailer acting on behalf of a passenger or a tour operator for the conclusion of transport contracts.

⁴ **Tour operator** is defined as an organiser or retailer, other than a carrier, within the meaning of Article 2(2) and (3) of Directive 90/314/EEC.

9. Carriers and terminal operators must set up and have an accessible **complaint-handling mechanism** for rights and obligations covered by the Regulation. Passengers have two months from the date of an event to submit a complaint and must receive a final reply within two months from the receipt of the complaint.
10. In the event of **cancellation or delayed departure of a passenger service**, passengers must be informed as soon as possible and in any event no later than 30 minutes after the scheduled time of departure, and of the estimated departure time and estimated arrival time as soon as that information is available.
11. Passengers have a **right to assistance and to re-routing or reimbursement when departure from port terminals⁵ is cancelled or delayed for more than 90 minutes**; in this case, the carrier must provide snacks, meals or refreshments provided they are available or can reasonably be supplied and, where necessary and physically possible, accommodation on board or ashore up to a cost of €80 per night for a maximum of three nights.
12. Where a **passenger service is cancelled or delayed for more than 90 minutes, a passenger must be offered the choice** between re-routing at no additional cost or reimbursement of the ticket price.
13. Depending on the scheduled duration of the journey, compensation amounting to a quarter or half of the ticket price may also be due in the event of delayed arrival.
14. A new or existing Body will be assigned **responsibility for the enforcement of the Regulation and the Body may act as an appeals body for complaints**. In Ireland this Body is the **National Transport Authority**.

Exceptions

- A) The right to accommodation does not apply if the delay or cancellation is caused by bad weather conditions (see **Appendix 4** of this document for further details). Likewise, no compensation for late arrival will be paid if weather conditions or extraordinary circumstances adversely affected the performance of the service (see **Appendix 5** of this document for further details).
- B) The right to transport for a disabled person or a person with reduced mobility will not apply
 - where the design of the passenger ship or port infrastructure and equipment, including port terminals makes it impossible to carry out embarkation, disembarkation or carriage of a person in a safe or operationally feasible manner,
 - where the carriage of a person would result in the carrier not being in a position to meet safety requirements established by international, EU or national law, e.g. the Safety of Life at Sea Convention (SOLAS).

⁵ **Port terminal** is defined as a terminal, staffed by a carrier or a terminal operator, in a port with facilities, such as check-in, ticket counters and lounges, and staff for the embarkation or disembarkation of passengers travelling on passenger services or on a cruise.

Carriers - Questions and Answers

The following is a list of Questions and Answers to help you understand what is required of you if you have ships or passenger services that have obligations under this Regulation.

Question **What types of ships are affected by Regulation No. 1177/2010?**

Answer The following types of ships are affected:

- Passenger ships (i.e. ships carrying more than 12 passengers) and carrying a crew of 4 or more except if the passenger service is less than 500 metres one way.
- Cruise ships. Please note that cruise ships must abide by the obligations of this Regulation except the obligations under:
 - Article 16(2) Information regarding alternative connection in the event of cancellation or delay
 - Article 18 Re-routing and reimbursement in the event of cancelled or delayed departures
 - Article 19 Ticket price compensation in the event of delay in arrival
 - Articles 20(1) and (4) Certain exemptions applicable to open tickets and cancellation/delay caused by weather conditions.

However, the Regulation **does not apply** if any of these ships are on excursion or sightseeing tours (other than cruises) or are historical ships certified to carry up to 36 persons.

Question **What information do I need to supply to passengers?**

Answer You need to have in place non-discriminatory “access conditions” for the transport of disabled persons and persons with reduced mobility. “Access conditions” means relevant standards, guidelines and information on the accessibility of ships including the facilities for disabled persons or persons with reduced mobility.

The “Guidelines for Accessible Maritime Passenger Transport” (Department of Transport/National Disability Authority 2010) may be of assistance to you in drawing up such conditions. These are available to download free from the Maritime (Publications) Section of the Department of Transport, Tourism and Sport website www.dttas.ie.

Question **How do I supply this information to passengers?**

Answer All relevant information, including online reservation and information concerning the conditions of carriage, journey information and access conditions, must be publicly available in hard copy or on the internet and in accessible formats on request.

Particular attention must be paid to the needs of disabled persons and persons with reduced mobility. Persons needing assistance should receive confirmation of such assistance by any means available including electronic means or Short Message Service (SMS).

Question **What type of assistance am I required to provide to passengers?**

Answer Subject to your access conditions, the assistance to be provided to passengers is specified at **Appendix 1 to this Information Note**. Carriers, within their area of competence, must provide assistance free of charge to disabled persons or persons with reduced mobility on notification that assistance is needed. The specific assistance required should normally be notified by any means available including electronic means or SMS at the latest 48 hours in advance of travelling, unless a shorter timeframe is agreed. The assistance should, if possible, be adapted to the individual needs of the disabled person. Carriers (and terminal operators, travel agents and tour operators) must take all reasonable measures necessary for the request and receipt of notification at all points of sale including sale by telephone and over the internet.

Where no advance notification of the need for assistance is made, carriers shall, nonetheless, make all reasonable efforts to provide it. Assistance dogs should be carried where required.

The carrier can agree a time, set out in writing (which can also be a text or an email), that the disabled person or person with reduced mobility should arrive at a designated point inside or outside port terminals (not more than 60 minutes before published embarkation/departure time). The designated point must be clearly signposted and offer basic information, in accessible formats, about the port terminal and assistance available.

The carrier should confirm the availability of assistance to passengers who request it, by any means available including texting.

Question **What is the position when a person with a disability or reduced mobility needs to be accompanied by another person?**

Answer Where a carrier, travel agent or tour operator requests a person with a disability or reduced mobility to be accompanied by another person to provide assistance, the accompanying person must be carried free of charge.

Question **Am I required to set quality standards for the provision of assistance for my passenger service?**

Answer A carrier operating a passenger service with a total of more than 100,000 commercial passenger movements during the previous calendar year is required to set quality standards within the carriers area of competence for the assistance specified in **Appendix 1 to this Information Note** and must, where appropriate, determine resource requirements for meeting those standards, in co-operation with organisations representative of disabled persons or persons with reduced mobility.

The quality standards must be publicly available in hard copy or on the internet, and in accessible formats.

Similar provisions apply to terminal operators that have more than 100,000 commercial passenger movements during the previous calendar year through their port terminal.

Question **What kind of training is required for my staff?**

Answer Carriers must establish disability related training procedures, including instructions, for their staff, and the staff of any carrier operating on their behalf as set out in **Appendix 2**.

Personnel providing direct assistance to disabled persons and persons with reduced mobility must have disability awareness and disability assistance training or instruction as set out in **Appendix 2 (A) and (B)**.

Personnel involved in the reservation and selling of tickets or embarkation and disembarkation must have disability awareness training or instruction as set out in **Appendix 2(A)**.

It is also a requirement that all staff maintain their skills through instructions or refresher training courses where appropriate.

Question **What am I required to do in case of cancelled or delayed departures?**

Answer All information must be made available in accessible formats.

- Inform the passenger of the situation as soon as possible and in any event no later than 30 minutes after the scheduled time of departure.
- Inform the passenger of the estimated departure and arrival time as soon as that information is available.

If a passenger misses a connecting transport service due to a cancellation or delay, reasonable efforts should be made to inform the passenger of alternative connections.

See section on Cancellation or Delay of Passenger Services in the tables on pages 8-10 for details of compensation and assistance requirements that arise.

Question Compensation - how does this apply to me?

Answer If Regulation No. 1177/2010 applies to your passenger ship(s), you are required to provide assistance and compensation for delays or cancellations of the passenger service, and for loss of or damage to mobility or other specific equipment used by a disabled person or a person with reduced mobility. See the tables on pages 8-10 for details of the types of compensation that arise under the Regulation.

Compensation for and/or replacement of Mobility and Other Specific Equipment				
Loss Suffered by Passenger	Type of Compensation Carrier Liable for	Temporary Replacements	Exemptions to Liability for Compensation	Conditions of Liability
Loss of mobility equipment or other specific equipment if the incident which caused the loss was due to the fault or neglect of the carrier	Replacement value of equipment concerned	Every effort must be made to provide as soon as possible suitable temporary replacement equipment	Exempt if Article 4 of Regulation (EC) No. 392/2009 on the liability of carriers of passengers by sea in the event of accidents applies	Does not apply
Damage to mobility equipment or other specific equipment if the incident which caused the damage was due to the fault or neglect of the carrier	Costs relating to repairs	Every effort must be made to provide as soon as possible suitable temporary replacement equipment	Exempt if Article 4 of Regulation (EC) No. 392/2009 on the liability of carriers of passengers by sea in the event of accidents applies.	Does not apply

Compensation or assistance to be provided for cancellation or delays of Passenger Services			
Loss Suffered by Passenger	Type of Compensation Carrier Liable for	Exemptions to Liability for Compensation	Conditions of Liability
Denied embarkation (see Article 8(1) and (4) of Regulation for details)	Reimbursement or Re-routing (see Appendix 3)	Does not apply	<p>Passenger is offered a choice between re-routing to the final destination or reimbursement.</p> <p>Re-routing is conditional on all safety requirements being met.</p> <p>Affected passengers have to be informed immediately of the specific reasons for refusal.</p> <p>If requested, the reasons must</p>

Compensation or assistance to be provided for cancellation or delays of Passenger Services

Loss Suffered by Passenger	Type of Compensation Carrier Liable for	Exemptions to Liability for Compensation	Conditions of Liability
			be notified to the passenger in writing within 5 working days of the request, making reference to the specific safety requirements where applicable.
Cancellation or Delay for more than 90 minutes	<p>(a) Assistance - Snacks, meals or refreshments free of charge (Article 17(1))</p> <p>(b) A choice between reimbursement of the ticket price or re-routing to the final destination under comparable conditions – in addition for passengers departing from port terminals they may be offered, where relevant, a return service free of charge to the first point of departure (Article 18)</p>	<p>None</p> <p>Does not apply to passengers with open tickets as long as the departure time is not specified, with the exception of passengers holding a travel pass or season ticket.</p> <p>Does not apply if the passenger is informed of the cancellation or delay before the purchase of the ticket or if the cancellation or delay is caused by the passenger.</p>	<p>To be provided to passengers departing from port terminals. To be supplied in reasonable relation to the waiting time, provided they are available or can reasonably be supplied.</p> <p>Passenger is offered a choice between re-routing to the final destination or reimbursement as described across.</p> <p>Reimbursement has to be made within 7 days - (see Appendix 3).</p>
Cancellation or Delay in departure where a stay of one or more nights or a stay additional to that intended by the passenger becomes necessary	Accommodation on board or ashore and transport to and from the port terminal and place of accommodation free of charge, in addition to the snacks, meals or refreshments mentioned at (a) above. (Article 17(2))	<p>Does not apply to passengers with open tickets as long as the departure time is not specified, with the exception of passengers holding a travel pass or season ticket.</p> <p>Does not apply if the passenger is informed of the cancellation or delay before the purchase of the ticket or if the cancellation or delay is caused by the passenger.</p> <p>Does not apply if the carrier proves that the cancellation</p>	<p>To be provided to passengers departing from port terminals where and when physically possible.</p> <p>For each passenger the carrier may limit the total cost of accommodation ashore, not including transport to and from the port terminal and place of accommodation, to €80 per night for a maximum of 3 nights.</p>

Compensation or assistance to be provided for cancellation or delays of Passenger Services			
Loss Suffered by Passenger	Type of Compensation Carrier Liable for	Exemptions to Liability for Compensation	Conditions of Liability
		or delay is caused by weather conditions endangering the safe operation of the ship (See Appendix 4)	
Delay in arrival at final destination	<p>Applies to all tickets above €6.</p> <p>Applies to voyages to/from ports or port terminals.</p> <p>Compensation of:</p> <p>(a) Minimum of 25% of ticket price</p> <p>or for longer delays</p> <p>(b) Maximum of 50% of ticket price (see Article 19(1) of the Regulation for details)</p>	<p>Carriers have an option to exclude tickets priced up to a maximum of €6 from the compensation rules.</p> <p>Does not apply to passengers with open tickets as long as the departure time is not specified with the exception of passengers holding a travel pass or season ticket.</p> <p>Does not apply if the passenger is informed of the cancellation or delay before the purchase of the ticket or if the cancellation or delay is caused by the passenger</p> <p>Does not apply where the Carrier can prove that the cancellation or delay is caused by weather conditions (see Appendix4) endangering the safe operation of the ship or by extraordinary circumstances (see Appendix 5)</p>	<p>The passenger cannot lose the right to transport.</p> <p>Compensation must be paid within 1 month of the submission of the request for compensation.</p> <p>Carriers may introduce a minimum threshold (not exceeding €6) under which payments for compensation will not be paid.</p> <p>(see Article 19 of the Regulation for full details on conditions)</p>

Question **What is the National Enforcement Body?**

Answer Regulation No. 1177/2010 requires the designation of a National Enforcement Body which will be responsible for the enforcement of the Regulation from 18 December 2012.

SI 394 of 2012 designates the National Transport Authority as the relevant national enforcement body in respect of Ireland.

Question **What happens if I don't comply with the requirements of the Regulation?**

Answer Penalties will be introduced for failure to comply with the requirements of the Regulation and will be enforced by the National Enforcement Body.

Question **What is the complaints procedure?**

Answer The Regulation requires carriers and terminal operators to set up or have in place an accessible complaint handling mechanism for rights and obligations covered by the Regulation.

Passengers wishing to make a complaint arising from the Regulation may do so to the carrier or terminal operator concerned within 2 months from the date on which the service was performed or when a service should have been performed.

Within one month of receipt of a complaint from a passenger, the carrier or terminal operator must notify the passenger that his/her complaint has been substantiated, rejected or is still being considered.

A final reply must be provided within 2 months of receipt of the complaint.

If a passenger is dissatisfied with the reply from the terminal operator and the complaint is not resolved, the passenger may appeal to the National Enforcement Body (in Ireland the National Transport Authority).

Question **Where can I obtain a copy of Regulation No. 1177/2010?**

Answer : <http://eur-lex.europa.eu/JOHtml.do?uri=OJ:L:2010:334:SOM:EN:HTML>

Assistance in Ports or Port Terminals including Embarkation and Disembarkation (Annex II of Regulation No. 1177/2010)

1. Assistance and arrangements necessary to enable disabled persons and persons with reduced mobility to:
 - communicate their arrival at a port terminal⁶ or, if possible, a port⁷ and their request for assistance,
 - move from an entry point to the check-in counter, if any, or to the ship,
 - check in and register baggage, if necessary,
 - proceed from the check-in counter, if any, to the ship, through emigration and security points,
 - embark the ship, with the provision of lifts, wheelchairs or other assistance needed, as appropriate,
 - proceed from the ship door to their seats/area,
 - store and retrieve baggage on the ship,
 - proceed from their seats to the ship door,
 - disembark from the ship, with the provision of lifts, wheelchairs or other assistance needed, as appropriate,
 - retrieve baggage, if necessary, and proceed through immigration and customs points,
 - proceed from the baggage hall or the disembarkation point to a designated point of exit,
 - if required, make their way to the toilet facilities (if any).
2. Where a disabled person or person with reduced mobility is assisted by an accompanying person, that person must, if requested, be allowed to provide the necessary assistance in the port and with embarking and disembarking.
3. Handling of all necessary mobility equipment, including equipment such as electric wheelchairs.
4. Temporary replacement of damaged or lost mobility equipment with equipment which is a suitable alternative.
5. Ground handling of recognised assistance dogs, when relevant.
6. Communication in accessible formats of information needed to embark and disembark.

⁶ Port terminal is defined as a terminal, staffed by a carrier or a terminal operator, in a port with facilities, such as check-in, ticket counters and lounges, and staff for the embarkation or disembarkation of passengers travelling on passenger services or on a cruise.

⁷ A Port is defined as a place or a geographical area made up of such improvement works and facilities as to permit the reception of ships from which passengers regularly embark or disembark.

Assistance on Board Ships (Annex III of Regulation No. 1177/2010)

1. Carriage of recognised assistance dogs on board the ship, subject to national regulations.
2. Carriage of medical equipment and of the mobility equipment necessary for the disabled person or person with reduced mobility, including electric wheelchairs.
3. Communication of essential information concerning a route in accessible formats.
4. Making all reasonable efforts to arrange seating to meet the needs of disabled persons or persons with reduced mobility on request and subject to safety requirements and availability.
5. If required, assistance in moving to toilet facilities (if any).
6. Where a disabled person or person with reduced mobility is assisted by an accompanying person, the carrier shall make all reasonable efforts to give such person a seat or a cabin next to the disabled person or person with reduced mobility.

Disability-Related Training, including Instructions (Annex IV of Regulation No. 1177/2010)

A. Disability-awareness training, including instructions

Disability-awareness training, including instructions, includes:

- ❖ awareness of and appropriate responses to passengers with physical, sensory (hearing and visual), hidden or learning disabilities, including how to distinguish between the different abilities of persons whose mobility, orientation or communication may be reduced,
- ❖ barriers faced by disabled persons and persons with reduced mobility, including attitudinal, environmental/physical and organisational barriers,
- ❖ recognised assistance dogs, including the role and the needs of an assistance dog,
- ❖ dealing with unexpected occurrences,
- ❖ interpersonal skills and methods of communication with people with hearing impairments, visual impairments or speech impairments and people with a learning disability,
- ❖ general awareness of IMO guidelines relating to the Recommendation on the design and operation of passenger ships to respond to elderly and disabled persons' needs.

B. Disability-assistance training, including instructions

Disability-assistance training, including instructions, includes:

- ❖ how to help wheelchair users make transfers into and out of a wheelchair,
- ❖ skills for providing assistance to disabled persons and persons with reduced mobility travelling with a recognised assistance dog, including the role and the needs of those dogs,
- ❖ techniques for escorting passengers with visual impairments and for the handling and carriage of recognised assistance dogs,
- ❖ an understanding of the types of equipment which can assist disabled persons and persons with reduced mobility and a knowledge of how to carefully handle such equipment,
- ❖ the use of boarding and debording assistance equipment used and knowledge of the appropriate boarding and debording assistance procedures that safeguard the safety and dignity of disabled persons and persons with reduced mobility,
- ❖ understanding of the need for reliable and professional assistance. Also awareness of the potential of certain disabled persons and persons with reduced mobility to experience feelings of vulnerability during travel because of their dependence on the assistance provided,
- ❖ knowledge of first aid.

Right To Reimbursement or Re-Routing for Disabled Persons and Persons with Reduced Mobility (Annex I of Regulation No. 1177/2010)

1. Where reference is made to this Annex, disabled persons and persons with reduced mobility shall be offered the choice between:
 - (a) - reimbursement within 7 days, paid in cash, by electronic bank transfer, bank order or bank cheque, of the full cost of the ticket at the price at which it was purchased, for the part or parts of the journey not made, and for the part or parts already made if the journey no longer serves any purpose in relation to the passenger's original travel plan, plus, where relevant,
 - a return service to the first point of departure, at the earliest opportunity; or
 - (b) re-routing to the final destination as set out in the transport contract, at no additional cost and under comparable conditions, at the earliest opportunity; or
 - (c) re-routing to the final destination as set out in the transport contract, under comparable conditions, at a later date at the passenger's convenience, subject to availability of tickets.
2. Paragraph 1(a) shall also apply to passengers whose journeys form part of a package, except for the right to reimbursement where such a right arises under Directive 90/314/EEC.
3. When, in the case where a town, city or region is served by several ports, a carrier offers a passenger a journey to an alternative port to that for which the reservation was made, the carrier shall bear the cost of transferring the passenger from that alternative port either to that for which the reservation was made, or to another nearby destination agreed with the passenger.

Weather Conditions (Description given in paragraph (16) of the Recital to Regulation No. 1177/2010)

Weather conditions endangering the safe operation of the ship should include, but not be limited to, strong winds, heavy seas, strong currents, difficult ice conditions and extremely high or low water levels, hurricanes, tornados and floods.

Extraordinary Conditions (Description given in paragraph (17) of the Recital to Regulation No. 1177/2010)

Extraordinary circumstances should include, but not be limited to, natural disasters such as fires and earthquakes, terrorist attacks, wars and military or civil armed conflicts, uprisings, military or illegal confiscations, labour conflicts, landing any sick, injured or dead person, search and rescue operations at sea or on inland waterways, measures necessary to protect the environment, decisions taken by traffic management bodies or port authorities, or decisions by the competent authorities with regard to public order and safety as well as to cover urgent transport needs.