

Insurance confirmation

EIS Charter Seal for charter operators

We hereby confirm that the following charter operator

Four Seasons Yachting GmbH

Alte Berliner Straße 43

DE-34298 Helsa

(hereinafter only the "charter operator")

has concluded an bankruptcy hedging for the year listed in the adjacent seal.



Four Seasons Yachting GmbH



Alte Berliner Straße 43

DE-34298 Helsa

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Fax: +49 5605 / 926156

E-Mail: heine@four-seasons-yachting.com

Web: <https://www.four-seasons-yachting.com/>

The following insurance cover applies for the charter operator clients:



§ 1 Scope of insurance cover

The insurer cover

- ✔ the loss of the legally existing claim for repayment of a boat / yacht or berth charter price paid by the charter customer in the contract year due to the non-performance of the service as a result of the bankruptcy of the insured charter operator;
- ✔ takes all the costs for the legal assertion against the insured charter operator after positively checking the claim and its enforceability and only by an advocate named by the insurer.

We also help in the Corona crisis!

If a charter operator cannot provide the yacht to the charter client due to the Corona crisis and the payment already made is converted into a voucher for the charter client, the insurance cover of the charter seal also extends to this voucher. The prerequisite for the insurer's benefit is that the validity of the voucher is limited to a maximum of 18 months, calculated from the charter check-in date that was actually contractually agreed first.

Example: Neither the yacht chartered nor the replacement are placed at the charter client's proposal at the agreed date because of an bankruptcy of the charter operator.

§ 2 Scope

The insurance applies worldwide.

§ 3 Compensation and insurance sums

- ✔ Court costs and lawyer's fees with regard to the enforceability of the charter price repayment.
- ✔ In the case of bankruptcy of the charter operator the charter price paid and not compensated up to a maximum of 20.000 EUR/charter. A pro-rata service of the charter operator has to be charged in relation of the total charter and the complete price.

The insurer's payment is limited to a maximum of 33% of the total charter price up to 6 weeks before the start of the charter.

For all clients concerned a cumulative limit of 110.000 EUR per bankruptcy of the charter operator is deemed as. Shall the amount exceed this limit the single refund claims will decrease in relation to which the total amount stands to the maximum amount.

§ 4 Exclusions

Excluded from the insurance cover is:

- ✔ The loss of the claim of the clients, provided that the charter operator has concluded a contract with the charter client as an broker (agency), which does not concern one of the charter boats exclusively managed or owned by him;
- ✔ The loss of the charter if the charter operator had provided another yacht with the same amount of cabins and the charter client refused it. (Replacement yacht definition according to the general charter conditions: A yacht with a comparable size, amount of cabins or berths, equipment and age whereby the age only differs by one or two years);

- ✔ An acceptable loss of 24 hours per charter week due to, for example, a delayed return of the previous charter client or a repair;
- ✔ The loss of the charter due to a reason which are the fault of the charter client or which the client already knew even before concluding the charter contract;
- ✔ Reductions of the charter price due to dissatisfaction or the lack of promised characteristics (as, for example, cleanness, dinghy, out board, additional sails, etc.) as far as therefore, the driving ability of the chartered yacht is still ensured;
- ✔ Charter prices whose are not paid directly to the intermediary agency or charter operator by bank transfers (bank transfer, direct debit, and credit card).
- ✔ The bankruptcy application given to the bankruptcy intermediary charter agency or charter operator even before the conclusion of the charter contract.

§ 5 Damage report

The charter client is forced to report the claim immediately upon knowledge of the faulty service or the information of insolvency of the charter operator. The report needs to be given to:

EIS European Insurance & Services GmbH

Scharfe Lanke 109-131

D-13595 Berlin

Claim Hotline +49 30 214082 20 (24 h / 7 days Hotline)

E-Mail claim@eis-insurance.com

§ 6 Obligations in the event of a claim and its consequences in case of injuries

The policy holder and the insured client are forced to report the claim immediately, however, within two working days at the latest, upon knowledge and to guarantee the claim reduction and prevention of damage as well as to obtain and observe instructions of EIS European Insurance & Services if circumstances permit. On demand of EIS/insurance company the policy holder has to provide every information and proofs whose are necessary to define the claim and the performance obligation of the insurer.

Should the policy holder or the insured client violate one of these obligations the insurer is released from the obligation to compensate the claim according to the legal regulations (especially §§6 and 62 VVG)

Should the policy holder or the insured client have claim damages against a third party the claim will pass on to the insurer as far as the insurer compensates the claim to the policy holder or the insured client (§ 67 VVG). If the policy holder or the insured client waive the claim against the third party or a right served to secure this claim the insurer is released from his performance obligation in so far as he could get a refund from the claim or the right.

§ 7 Legal base

Legal base of this cover is the German law. The current instructions of the insurance contract law (Versicherungsvertragsgesetz – VVG) are valid.

§ 8 Court of jurisdiction

As the court of jurisdiction Berlin is deemed as agreed.

The insurance company is Triglav Osiguranje d.d., Antuna Heinza 4, HR-10000 Zagreb.

In case of damage ...

The claim hotline of EIS European Insurance & Services GmbH is available under +49 (0)30 214082-20 24 hours a day.

We recommend to contact our claim department by mail under claim@eis-insurance.com to guarantee a rapid data exchange and processing.