



CONCESSION OPERATOR CONTRACT

For the

ORANGE RIVER CONCESSION

in

TSAU //KHAEB / SPERRGEBIET NATIONAL PARK

//KARAS REGION

Between

The

Ministry of Environment, Forestry and Tourism

herein represented by Hon. Pohamba Shifeta in the capacity as Minister and duly authorized to do so by the Ministry

(The Concessor)

And

OMDIS Town Transformation Agency

herein represented by Mr. Tony Bessinger in the capacity as General Manager and duly authorized thereto to enter this agreement

(The Operator)

(hereinafter referred to as "the Parties")

SM PSH Tony

THIS CONCESSION OPERATOR CONTRACT IS ENTERED INTO BETWEEN

(1) THE CONCESSOR; and

(2) THE OPERATOR.

(3) WHEREAS

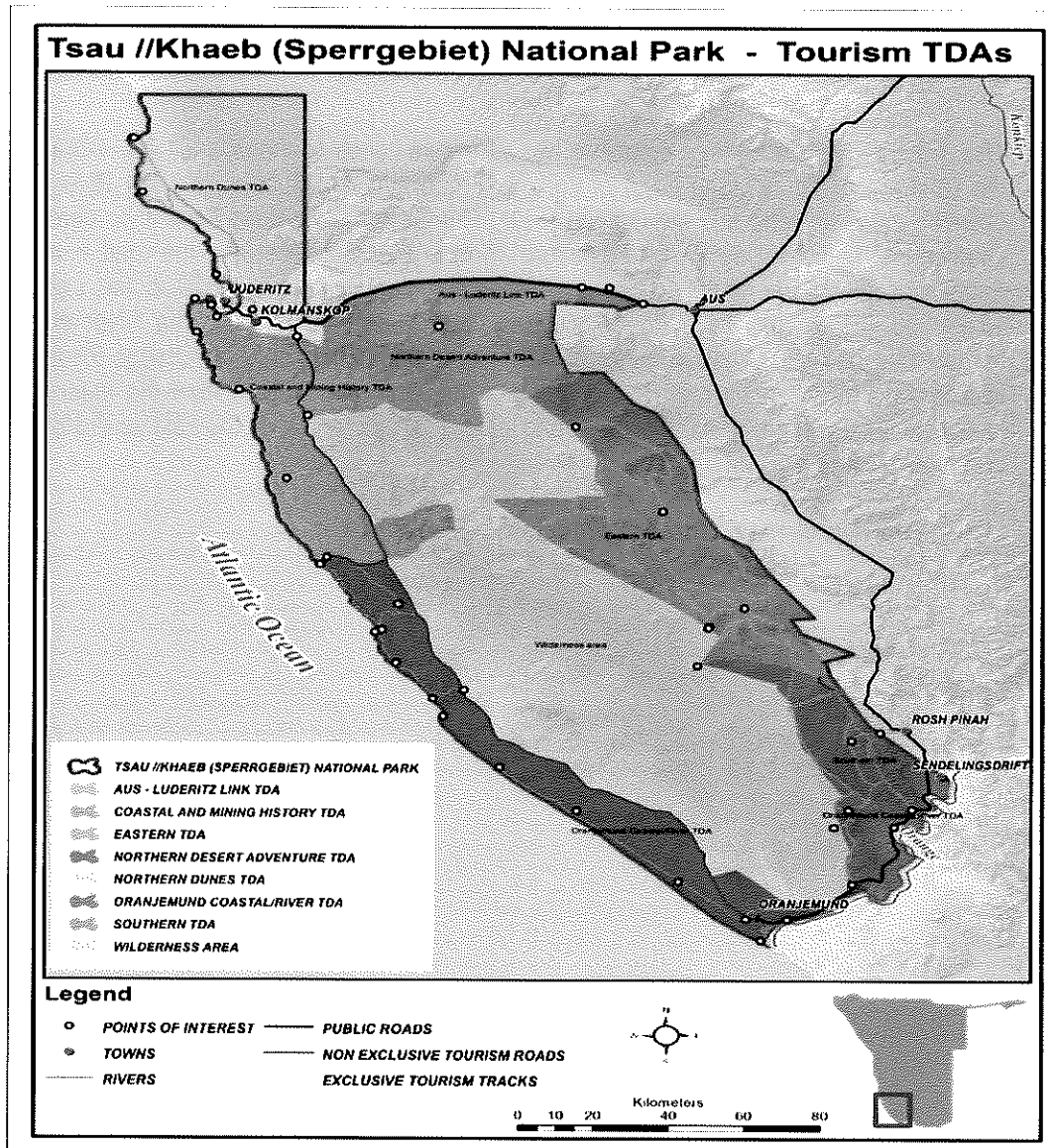
- A. The Concessor has granted the Operator, through this, Operator Concession Contract (see **Annexure 1**) the right to utilise the Concession Area to generate income and stimulate socio-economic development through the development and operation of tourism in the Concession Area, and to enter into this Concession Operator Contract with the Operator.
- B. The Operator submitted technical and financial proposals to the Concessor during an open competitive tender procedure, to apply for the right to develop and operate the Concession Area as outlined in this Agreement (see **Annexure 1**).
- C. The Operator was selected by the Concessor as its preferred partner to implement this Project.
- D. Appointment of the Operator has received a "no-objection" by the Concessor, as required in terms of the Head Concession Contract.
- E. The Operator has expertise in the development and operation of tourism infrastructure, tourism services and activities for visitors to the Park.
- F. The Concessor wishes to enter into a Concession Operator Contract for the purposes of undertaking the Project with the Operator.
- G. Without compromising the conservation of the Concession Area and the Park, the Parties intend to implement this Concession Operator Contract in the spirit of co-operation and mutual support to achieve the Concessor's and the Operator's commercial objectives, whilst at the same time allowing the Concessor to fulfil its development objectives.

NOW THEREFORE the Parties agree as follows -

1 DEFINITIONS AND INTERPRETATION

- 1.1 The headings in this Concession Operator Contract or in the Annexures are for convenience only and shall not be taken into consideration in the interpretation or construction thereof.
- 1.2 Words importing the singular only, also include the plural and vice versa where the context requires.
- 1.3 Words importing reference to one or other gender shall be taken to mean both genders.
- 1.4 Any reference to any agreement or Annexure shall be construed as including a reference to any agreement or Annexure, amending or substituting that agreement or Annexure and be deemed to be part of this Agreement.

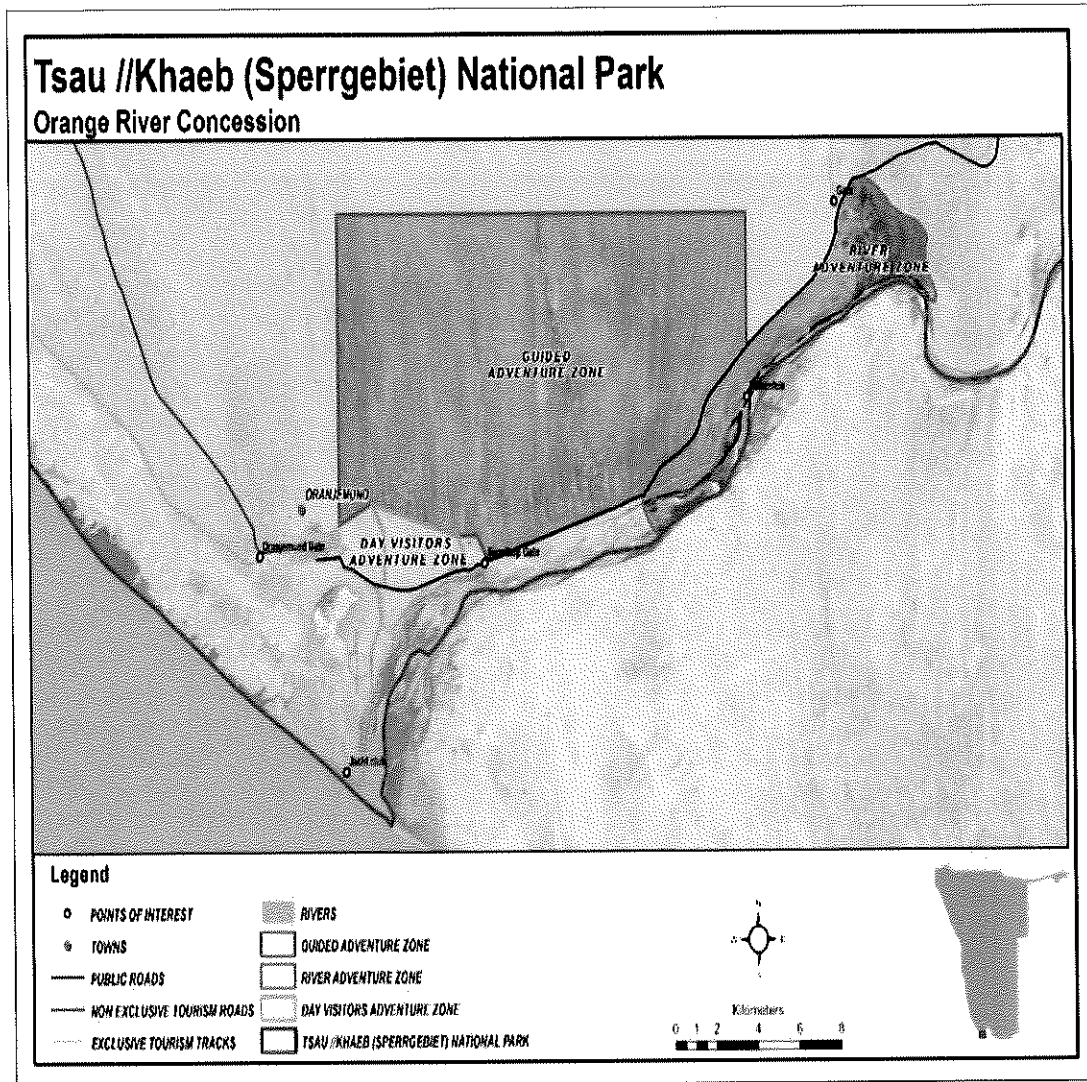
Sw
ABH
10/05/18



SM

PRZ
Tony

Map 2: Overview of the Concession Area



Sim

PdL
Wong

Map 3: Location of the Concession Area.



Table 1: Perimeter coordinates of the Concession Area:

| Tourism Site | Longitude | Latitude |
|--------------|-----------|------------|
| Hohenfels | 16.613000 | -25.512153 |

Sun

[Handwritten signature]

17. OPERATOR TO PARTICIPATE IN THE JOINT MANAGEMENT COMMITTEE

17.1. The Operator shall be required to participate in the Joint Management Committee in terms of **Clause 2.7** of this agreement.

18. ADDRESS FOR NOTICES

Concessor Representative:

| | |
|-----------------|--|
| Name | Hon. Pohamba Shifeta |
| Address | Ministry of Environment, Forestry and Tourism Troskie Building, c/o Robert Mugabe Ave. & Kenneth D. Kaunda Str. Private Bag 13306 Windhoek |
| Contact details | + 264 61 284 2111 |

Operator Representative:

| | |
|------------------|---|
| General Manager: | OMDIS |
| Name | Mr. T. Bessinger |
| Address | P. O. Box 903, 19-7 th Street Oranjemund, Namibia |
| Contact details | +264 63 234 344 |