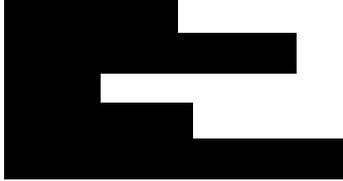




Odyssey Marine Exploration



Your reference:
Our reference: PFV4624

7 November 2014

Dear Sir or Madam,

OFFICIAL WRITTEN WARNING FOR OFFENCES UNDER THE MARINE AND COASTAL ACCESS ACT 2009

I am writing to you a body corporate registered in the state of Florida, United States. You have been under investigation by the Marine Management Organisation for the following offences:

1. That you, between 01st February 2012 and 31st August 2012 did cause or permit another person to carry on a marine licensable activity, namely the deposit on the sea bed of an object, namely array transponder beacons and datum markers, from a vessel, namely the Odyssey Explorer (IMO number: 7125811), except in accordance with a marine licence contrary to section 85(1) Marine and Coastal Access Act 2009, as read with sections 65 and 66 of that Act.
2. That you, between 01st February 2012 and 31st August 2012 did cause or permit another person to carry on a marine licensable activity, namely the deposit on the sea bed of an object, namely burying of offsite sacrificial materials, from a vessel, namely the Odyssey Explorer (IMO number: 7125811), except in accordance with a marine licence contrary to section 85(1) Marine and Coastal Access Act 2009, as read with sections 65 and 66 of that Act.
3. That you, between 01st February 2012 and 31st August 2012 did cause or permit another person to carry on a marine licensable activity, namely the carrying out of dredging activity by blowing or otherwise moving sediment, except in accordance with a marine licence contrary to section 85(1) Marine and Coastal Access Act 2009, as read with sections 65 and 66 of that Act.
4. That you, between 01st February 2012 and 31st August 2012 did cause or permit another person to carry on a marine licensable activity, namely the use of a vessel named the Odyssey Explorer (IMO number: 7125811) to remove a substance or object from the sea bed, namely four seabed surface sediment samples, except in accordance with a marine



licence contrary to section 85(1) Marine and Coastal Access Act 2009, as read with sections 65 and 66 of that Act.

The evidence in support of these offences comes from a number of sources including, but not limited to the following:

- A report issued by you or on your behalf entitled “HMS Victory (site 25C). Preliminary Results of the Non-Disturbance Shipwreck Survey, 2012” authored by [REDACTED] and [REDACTED]
- An application for a marine licence made by you or on your behalf from [REDACTED] to the Marine Management Organisation dated 8th October 2012 (subsequently withdrawn).
- Minutes of various meetings, such as the Maritime Heritage Foundation in which admissions as to the above works were made.
- Witness statements of various persons who introduce correspondence sent by your employees or otherwise on your behalf.

After a careful review of this evidence, I am satisfied that there is sufficient evidence to provide a realistic prospect of conviction for the offences listed above and the facts of this case have now been considered and recorded. In this instance, however, it has been decided not to prosecute you for the offences and instead to mark these offences with an Official Written Warning for the offences, in accordance with the MMO’s compliance and enforcement strategy.¹

You should be aware that, whilst an Official Written Warning is a final disposal and no further action will be taken **in respect of these offences**, should you commit any further offences in the future then this may be taken into account when deciding whether or not you should be prosecuted for those new offences. Additionally, should we decide to prosecute you for a further offence then the court may be told about this warning in deciding what sentence you should receive.

Yours faithfully,

[REDACTED]

¹ <https://www.gov.uk/government/publications/compliance-and-enforcement-strategy>