

RULES FOR THE ENFORCEMENT AND ORGANIZATION OF THE PROTECTED MARINE AREA NAMED PORTOFINO

(ex article 28, paragraph 5, Law 31 December 1982, n. 979)

DOCUMENT 1

GENERAL REQUIREMENTS

Article 1 - Subject

1. The current regulations establish the organization of the protected marine area "Portofino", as well as detailed rules and conditions for the zoning of and the activities allowed inside the protected area, as defined under article 2 of the Decree dated 26 April 1999 released by the Minister for the Environment and the Care of the Land and the Sea .

Article 2 – Definitions

1. The following definitions apply:
 - a. "Access" - entry by land or sea into the protected marine area of vessels whose sole aim is to reach ports, moorings or permitted anchorage areas.
 - b. "Escorting and support for divers" - professional activities carried out by diving centres authorised by the Managing Authority using suitable vessels needed for diving activities either individual or in groups with or without guides or instructors.
 - c. "Towage" - all the operations required to bring vessels to the shore.
 - d. "Anchorage" - the operations needed to ensure a vessel is correctly attached to the seabed exclusively using an anchor.
 - e. "Education and the dissemination of natural science information" - professional activities by registered operators (companies or associations) using vessels suitable for observing the marine environment.
 - f. "Bathing" - the recreational activity of swimming which can be done using mask, snorkel, flippers, diving shoes and gloves also walking up to the maximum level of the tide.
 - g. "Mooring areas" - areas equipped with rows of buoys anchored to the sea bottom, dedicated to the mooring of pleasure vessels and marked for the safety of navigation. Also called "buoy areas".
 - h. "Diving centres" - the companies or associations which operate in the tourist/recreational diving sector and offer diving services, guided tours or training.
 - i. "Boat" – any pleasure craft with hull length from 10 to 24 metres as defined by D. Lgs.vo 18 July 2005, n. 171.
 - j. "Diving"- all activities carried out individually or in a group using auxiliary breathing equipment (aqualung) or skindiving in order to observe the marine environment.
 - k. "Monitoring" - the regular monitoring to evaluate variations from a determined standard.
 - l. "Small craft" - with hull length equal to or less than 10 metres as defined by D. Lgs.vo 18 July 2005, n. 171.

- m. "Pleasure boat" - any recreational vessel with hull length greater than 24 metres as defined by D.Lgs, vo 18 July 2005, n. 171.
- n. "Navigation" - the movement by sea of any construction intended for transportation by water.
- o. "Mooring" - all operations needed to safely attach vessels to a fixed port structure such as a wharf, quay or jetty, also to a moving structure in an approved location such as a floating jetty or a buoy.
- p. "Fishing as a sport" - the activity of recreational fishing.
- q. "Spear fishing" professional or recreational underwater fishing.
- r. "Fishing tourism" - small scale fishing as defined by ministerial decree 13 April 1999, n. 293 which defines the rules for operators who take people in addition to the crew on their vessels for recreational/tourist purposes.
- s. "Small traditional fishing" - fishing with a professional aim using vessels with a length less than 12 metres between the plum lines and in any case not greater in tonnage than 10 TSL and 15 GT, using reinforced fixed equipment, lines and harpoons as detailed in the ministerial decree 14 September 1999 and compatible with rule CE n.1967/2006 of the council of 21 December 2006, relative to the rule of management re fishing in the Mediterranean.
- t. "Transit" - the passage of vessels inside the protected marine area.
- u. "Vessel" - any construction used for transport by water as defined in clause 136 of the navigation code.
- v. "Underwater guided tours" - professional activities carried out by guides or instructors belonging to diving centres authorised by the managing authority, using suitable vessels fully equipped for scuba diving in order to observe the marine environment.
- w. "Zone subdivisions" - the subdivision of the protected marine area into sections with different regimes of environmental protection.

Article 3 - Aims and boundaries of the protected marine area

1. The aims and boundaries of the Portofino protected marine area and the activities not permitted as specified in articles 3, 2 and 4 of the decree of 26 April 1999.

DOCUMENT 2

ORGANIZATION OF THE PROTECTED MARINE AREA

Article 4 – Management of the protected marine area

1. The management of the Portofino protected area, under article 19 of the law 6 December 1991, n. 394, as included in article 2, paragraph 37 of the law 9 December 1998 n. 426 and subsequent modifications and article 5 of the decree 26 April 1999 from the Ministry of the Environment is entrusted to the managing consortium known as "Area Marina Protetta del Promontorio di Portofino. "
2. The following are the essential obligations of the Managing Authority:

- a. The observance of the duties relating to the acquisition and use of human resources under article 8 of the law 31 July 2002 n. 179.
 - b. The observance of the duties as detailed in the current rules relating to the marking of the protected marine areas.
3. The minister of the environment guardianship of the land and sea, having brought a previous default action against the Managing Authority, can revoke with whatever actions are necessary the care and management in the event of proven noncompliance, non-observance or irregularity by the Managing Authority as provided by the decree, the current regulations and the current rules relative to the matter.

Article 5 – The person in charge of the protected marine Area

1. The person in charge of the protected marine area will be chosen and appointed by the Managing Authority from amongst people who have adequate professional skills and specific experience in management, based on the established requirements of the decree of the Ministry.
2. The appointment of this person in charge of the protected marine area is granted by the Managing Authority, subject to assessment of legitimacy by the Ministry of the Environment, by means of a contract of private rights in accordance with the rules detailed in the decree of the Ministry.
3. The appointment is renewable.
4. The person in charge of the protected marine area has the following functions relating to the organisation and functioning of the protected area:
 - a. To take care of the annual management programme and the improvement of the protected marine area.
 - b. To prepare the budget and final accounts.
 - c. To coordinate his necessary functions with the Managing Authority, the reserve committee and the scientific/technical committee.
 - d. To ensure the carrying out of the directives of the Ministry in order to achieve the aims of the protected marine area.
 - e. To promote the starting up of projects by means of European community, national or private financing.
 - f. To promote initiatives for the development of economic activities compatible with the aims of the protected marine area.
 - g. Any other task assigned by the Managing Authority.
5. The person in charge will carry out his duties in accordance with the instructions given by the Managing Authority.

Article 6 – Reserve committee

1. The reserve committee, established by a decree from the Minister under article 28, paragraph 3, of the law dated 31 December 1982, n. 979 and subsequent modifications, the last of which are contained in article 2, paragraph 339, of the law dated 24 December 2007,

- n. 244, along with the Managing Authority are to formulate proposals and suggestions for the functioning and management of the protected marine area and express their views on:
 - a. Proposals for the updating of the founding decree.
 - b. Proposals for modifying and updating the area's location and rules relating to what activities are permitted in the various areas.
 - c. Proposals for regulations for the carrying out and organisation of the protected marine area and subsequent suggestions for modifications.
 - d. The annual management budget.
 - e. The reports on the functioning and the state of the protected marine area.
 - f. The actions and the procedures having an effect on the protected area.
2. The reserve committee has 30 days to reply to a request from the Managing Authority, if this time has expired the Managing Authority will proceed independently. In the event that due to investigative necessities it is not possible to comply the committee can halt proceedings once and has 15 days from receipt of instructions from the Managing Authority in which to deliver an opinion. It is however possible for the committee to further halt the above proceedings if it is necessary to obtain further details because of new facts or circumstances subsequently disclosed.
3. The committee is convened by the President whenever he considers it necessary. The President is in any case expected to convene the committee in order to obtain the opinions of the members in relation to matters detailed at point 1 or if more than half of the members request it.
4. The convening of the committee occurs by registered mail, containing the agenda together with the relative documents, at least 10 days before the date fixed for the meeting. If there is an urgent need the committee can be convened via telegram or fax containing the agenda and relative documentation, sent at least 3 days prior to the date of the meeting.
5. The minutes of the committee are sent to the person in charge of the protected marine area who forwards them to the Managing Authority and the Ministry of the Environment.
6. The members of the committee will be reimbursed for travel expenses, board and lodging after submission of receipts justifying the expenses, within the limits of the rules for travelling expenses for level 1 government officers.
7. Secretarial duties for the committee are to be carried out by personnel from the Managing Authority.

Article 7 – Technical-scientific committee

1. Under article 7 of the decree establishing the protected marine area, the technical-scientific committee has been established to assist the Managing Authority, the person responsible for the protected marine area and the reserve committee with technical-scientific matters.
2. The technical-scientific committee is appointed by the Managing Authority and is composed of:
 - a. The person in charge of the protected marine area who is the chairman.
 - b. A qualified expert appointed by the Managing Authority.
 - c. A qualified expert appointed by the Ministry of the environment.
3. The members of the technical-scientific committee remain in office for no more than 3 years. The appointment is renewable.

4. The members of the technical-scientific committee are entitled to be reimbursed for travel expenses, board and lodging after submission of receipts justifying the expenses, within the limits of the rules for travelling expenses for level 1 government officials.

DOCUMENT 3

DETAILED REGULATIONS AND OPERATING CONDITIONS

FOR THE PERMITTED ACTIVITIES

Article 8 – Zone subdivision and activities permitted in the different zones of the protected marine area

1. The zone subdivisions and the rules governing the permitted activities in the different areas of the protected marine area Portofino have been established by the decree 26th April 1999 by the Minister of the Environment.

Article 9 – Rules for rescue, surveillance and assistance

1. In zones A, B and C of the protected marine area rescue and surveillance activities along with assistance are permitted on behalf of the Managing Authority.

Article 10 – Rules for scientific research activities

1. In zones A, B and C scientific research is allowed with the authorization of the Managing Authority.
2. The following should be included with the request for authorization to carry out scientific research:
 - a. the type of activity and objectives of the research.
 - b. parameters analysed.
 - c. sampling plan with location of points of sampling and analysis.
 - d. instruments and equipment used in the sampling and analysis operations.
 - e. the timetable for the research and the personnel involved.
3. The removal of organisms and samples is only permitted for study purposes limited to zones B and C of the protected marine area and with the authorization of the Managing Authority.
4. The scientific research activities in the protected marine area coordinated by the Ministry of the Environment are allowed with the authorization of the Managing Authority against the documentation detailed in item 2 above.
5. The authorisations defined in items 1 and 3 are issued exclusively against a declaration from the applicant to supply to the Managing Authority a technical/scientific report relating to the activity carried out and the results of the research, along with a copy of publications emanating from the studies in which the collaboration of the protected marine area must be mentioned.

6. Some specific research programs may be assigned to institutes, associations or external groups by the Managing Authority in order to monitor and manage the protected marine area.
7. The requests for scientific research activities must be submitted 15 days prior to the proposed date of commencement.
8. For all disciplines not covered in the above articles, all rules and regulations for research activities are as defined in the present set of rules and in the decree establishing the protected marine area.

Article 11 – Rules for activities relating to photography, filming and TV

1. Non-professional photographic, filming and TV activities are allowed in the protected marine areas.
2. Commercial photographic, filming and TV activities carried out for commercial gain, except in the event of public interest must be authorized by the Managing Authority.
3. Filming is allowed in accordance with the rules and limitations as defined by the Managing Authority and must not disturb the animal and plant species or the natural environment of the protected marine area.
4. The surveillance personnel can forbid the execution or the continuation of the above mentioned activities in the event that it is judged that they are detrimental to the cultural and natural heritage or the tranquillity of the protected marine area.
5. The Managing Authority can acquire a copy of professionally produced photographic and visual material for institutional reasons with prior consent of the creator, also in order to use the material free of charge provided the origin of the material is acknowledged.
6. The publication and production of the photographic and audio-visual material must state fully the name of the protected marine area.
7. For all the rules not clearly described in this clause the regulations stated in the decree establishing the protected marine area are applicable.

Article 12 – Swimming regulations

1. No swimming is permitted in zone A.
2. In zones B and C swimming is allowed subject to the ordinances of the adjacent maritime offices.

Article 13 – Rules for individual diving activities

1. Individual diving activities are forbidden in zone A.
2. Individual night diving is not allowed in zones B and C.
3. In zone B exclusively in the areas noted in paragraph 4, individual diving without aqualung is permitted during the day with prior authorization of the Managing Authority, the time limited to the normal time taken for a dive with aqualung and at a safe distance from fishing tackle.
4. In zone B individual diving activities are permitted during the day with prior consent of the Managing Authority with the exception of the area of historical/cultural interest “Cristo degli Abissi “, only nearby the following sites defined by the Managing Authority:
 1. Punta Chiappa East

2. Punta della Targhetta
3. Grotta dell'Eremita
4. Punta della Torretta
5. Punta dell'Indiano
6. Dragone
7. Colombara
8. Secca Gonzatti
9. Targa Gonzatti
10. Scoglio del Raviolo
11. Testa del Leone
12. Scoglio del Diamante
13. Relitto Mohawk Deer
14. Cala Inglesi East
15. Punta Vessinaro
16. Casa del Sindaco
17. Chiesa di San Giorgio
18. Faro
19. Isuela
20. Altare
21. Cristo degli Abissi (site of historical and cultural interest)

5. In zone C individual diving activities are permitted during the day.
6. In the locations indicated in paragraph 4 individual diving activities with or without aqualung can be carried out subject to the following regulations:
 - a. In the case of a single person diving, it is permitted only if he has a licence at least of second degree issued by the Managing Authority.
 - b. In the case of group diving with a diver who has at least a second degree licence, which has been seen by the Managing Authority when issuing the permit, the number of divers must not exceed 5 for each diver in possession of the second degree licence.
 - c. In each locality the dive must remain within 100m from the vertical line of the mooring point with the exception of a dive at the "Cristo degli Abissi" where diving must not interfere with the channel for the transit of boats.
7. Diving for individuals with disabilities with or without aqualung can be carried out only by a disabled diver who has a level A, B or C licence or equivalent accompanied according to the rules by a licenced diver of at least second degree and in a ratio of one for every 5 divers.
8. The Managing Authority can authorize a maximum of 90 divers per day with a maximum of 6 divers per boat.
9. Mooring of the boats supporting the authorized activities can be done using the available buoys which are marked and provided by the Managing Authority and are located taking into consideration the preservation of the sea bottom according to the following:
 - a. For a period strictly necessary in order to complete the diving activity.
 - b. For a maximum of 24 divers for each site.
 - c. At the "Cristo degli Abissi" site mooring is only permitted from stem to stern within the buoys installed for such purpose.

- d. In zone B access to the buoys marked for diving activities must occur at right angles to the line of the coast.
10. Diving support boats in the protected marine area must not exceed a maximum speed of 5 knots.
11. In order to contain the flow of tourists and determine the maximum capacity of each diving site the Managing Authority monitors the area and modifies the regulations for diving activities and establishes the maximum number of dives per day at each site.
12. In order to obtain the authorization for carrying out individual diving activities in zone B and possible use of the buoys provided, the person requesting such permission must:
 - a. Pay to the Managing Authority a fee for administration and reimbursement of expenses as detailed in the following article 28.
 - b. Indicate the characteristics of the boat used and the identifying details of the diving licence owned by each diver.
 - c. Identify a diver with at least a second degree licence who can formally declare knowledge of the environment of the protected marine area.
13. The diving activities of individuals in zones B and C must respect the following code of conduct:
 - a. Contact with the seabed is not allowed. It is forbidden to remove any part or damage any material or organism of a geological, biological or archaeological nature.
 - b. It is forbidden to feed any marine organisms, to throw overboard any material and to act in any way that disturbs the marine organisms.
 - c. Transit in natural caves must occur in ways and times strictly necessary in order to pass over the submerged route.
 - d. It is obligatory to keep the underwater equipment as much as possible attached to the body.
 - e. It is obligatory to notify the Managing Authority or the local Marine Authorities of any refuse, dangerous materials or abandoned fishing tackle located on the bottom of the protected marine area.
 - f. Auxiliary equipment for underwater propulsion is not allowed, with the exception of the one used by disabled individuals with permission from the Managing Authority as defined in paragraph 7.
14. For all situations not clearly mentioned above, the current regulations defined in the present set of rules and the decree establishing the protected marine area are applicable.

Article 14 – Rules for conducted diving activities

1. In zone A conducted diving tours are forbidden.
2. In zone B scuba-diving lessons are forbidden.
3. In zone B conducted diving tours are permitted as long as they are carried out by authorized diving centres only at the following sites:
 1. Punta Chiappa East
 2. Punta della Targhetta
 3. Grotta dell'Eremita
 4. Punta della Torretta
 5. Punta dell'Indiano
 6. Dragone

7. Colombara
 8. Secca Gonzatti
 9. Targa Gonzatti
 10. Scoglio del Raviolo
 11. Testa del Leone
 12. Scoglio del Diamante
 13. Relitto Mohawk Deer
 14. Cala Inglesi East
 15. Punta Vessinaro
 16. Casa del Sindaco
 17. Chiesa di San Giorgio
 18. Faro
 19. Isuela
 20. Altare
 21. Cristo degli Abissi (site of historical and cultural interest)
4. In zone B conducted diving tours at the above sites carried out by diving centres authorized by the Managing Authority can be carried out provided:
 - a. A guide or instructor authorized by the diving centre is present.
 - b. No more than 5 divers for each guide or instructor are permitted.
 - c. At each of the sites no more than 24 divers at the one time are permitted.
 - d. At each of the sites the dive must be within a radius of 100 metres from the mooring point except for "Cristo degli Abissi" where they must not interfere with the channel for the transit of boats.
 5. In zone B night dives conducted by diving centres authorized by the Managing Authority are only permitted at the following sites:
 - 2) Punta della targhetta
 - 3) Grotta dell'Eremita
 - 5) Punta dell'Indiano
 - 6) Dragone
 - 7) Colombara
 - 11) Testa del Leone
 - 15) Punta Vessinaro
 - 16) Casa del Sindaco
 - 18) Faro
 - 20) Altare
 6. Underwater conducted tours for the disabled carried out by diving centres authorized by the Managing Authority can be carried out only by disabled divers with licence level A, B or C or equivalent accompanied by a guide or instructor from the diving centre.
 7. Vessels used for the execution of conducted diving tours must be no longer than 12 metres with the exception of ones authorized prior to 30th June 2001 provided the vessel has not had a change of ownership.
 8. Navigation of vessels used by the diving centres within the protected marine area must not exceed 5 knots.

9. The improper use of loudspeakers and acoustic signals is not permitted except to provide information about the itinerary and the sites visited where the volume is to be kept to a minimum level for the passengers on board to hear.
10. Mooring of vessels from the authorized diving centres is only permitted at the specially installed and marked single buoys, located to preserve the sea bed in the following manner:
 - a. At the “Cristo degli Abissi” site the boats are to be moored from stem to stern between the buoys installed for such use.
 - b. The length of stay is strictly limited to the time required to carry out the dive.
 - c. In zone B navigation to the buoys must be at right angles to the line of the coast.
11. Before conducted diving activities the diving centres must explain to their clients the rules of the protected marine area, the importance of the ecosystem, the environmental characteristics of the site and the rules relating to underwater behaviour so as not to disturb the sea bed and its organisms.
12. Underwater guided tours must respect the code of conduct as in article 13, paragraph 13.
13. Before diving commences the person responsible for the vessel must enter in the register details of the vessel, names of guides/instructors, names and diving licence levels of the participants, date, time and location of the dive. The register must be kept up to date and shown if requested by the supervising authority or Managing Authority personnel and returned to the Managing Authority by December 31st each year. The data contained in the register will be used by the Managing Authority for institutional purposes.
14. The vessels authorized to carry out conducted diving tours are required to show identifying signs as specified by the Managing Authority to facilitate monitoring and control of activities.
15. In order to obtain authorization for a conducted dive in the protected marine area and the use of the individual buoy prearranged for such use, the diving centres must:
 - a. Be located within the municipalities which border the protected marine area or located in the neighbouring municipalities on April 26th 1999, or being associated by 7th August 1999 to the groups already in operation in the municipalities of the protected marine area at 1st August 1998.
 - b. Be in possession of the specific environmental requirements as detailed by the Managing Authority and subsequent amendments.
 - c. Be the owner of an operating centre in the municipalities which fall within the protected marine area.
 - d. Indicate the characteristics of the vessels used for the activities and also the details of the diving licence for each person.
 - e. Pay to the Managing Authority a fee for administration and expenses calculated according to the following article 28.
16. In order to curtail the flow of tourists, in relation to the needs for the care of the environment as specified in the institutive provisions, the Managing Authority has established that a maximum of 6 vessels can be used for conducted dives at each visit. Any variation to the fleet must be communicated to and authorized by the Managing Authority. The vessels used for the above diving activities at the date of this present directive must be equipped with a motor in accordance with Directive 2003/44/CE relating to the emission of gases and noise.
17. The authorized diving centres, if they request it, can use the logo of the protected marine area in order to spread the word about diving activities.

18. Authorization to use the logo carries the obligation of providing the users with the special informative material on the protected marine area prepared by the Managing Authority.
19. The Managing Authority monitors the diving activities in the protected marine area in order to establish the maximum loading capacity for each site and to make subsequent amendments to the regulations concerning conducted diving activities.
20. For all subjects not specifically mentioned in the above article please refer to the regulations for conducted diving activities stated herein and to the decree establishing the protected marine area.

Article 15 – Regulations for escorting and support personnel to the diving activities

1. In zone A escorting and support personnel are forbidden.
2. In zone B they are permitted if carried out by authorized diving centres only at the sites previously specified in article 14, paragraph 3.
3. For divers involved in individual or group dives, carried out with the assistance of authorized diving centres but without the presence of guides or instructors, the rules stated in article 13, paragraphs 2, 3, 5, 7, 8 and 13 apply.
4. Individual or group dives carried out with the assistance of authorized diving centres but without the presence of guides or instructors can be carried out only according to the following rules:
 - a. In the presence of a diver with at least a second degree licence who formally declares to know the underwater environment of the protected marine area and who has been identified by the person in charge of the vessel.
 - b. A maximum number of 5 divers for each diver with at least a second degree licence as indicated in a).
 - c. In the event of an individual diver the person must have at least a second degree licence.
 - d. At each of the sites the dive must be within a radius of 100 metres from the mooring point except for “Cristo degli Abissi” where they must not interfere with the channel for the transit of boats.
5. For the diving centres involved in escorting and support for the divers the rules stated in article 14, paragraphs 2, 6, 7, 8, 9, 10, 11, 14 and 18 apply.
6. The person responsible for the vessel prior to the dive must enter in the proper register previously approved by the Managing Authority:
 - a. The details of the vessel.
 - b. The names of the divers who have at least a second degree licence and have declared a knowledge of the underwater environment of the protected marine area.
 - c. The names of the participating divers and their licence level.
 - d. The date, time and site of the dive.
7. The register mentioned in paragraph 6 above must be kept up to date and shown if requested by the personnel from the supervising authority or Managing Authority and returned to the Managing Authority by December 31st each year. The data contained in the register will be used by the Managing Authority for institutional purposes.
8. In order to obtain the authorization for carrying out escorting and support to the underwater dives, the regulations as detailed in article 14, paragraph 15 apply.

Article 16 – Regulations for the navigation of pleasure craft

1. In the protected marine area the use of aqua scooters or jet skis and similar means of transport, water skiing and similar water sports are forbidden.
2. In the protected marine area navigation by pleasure craft is forbidden.
3. In the protected marine area access, transit and navigation is forbidden in the zones reserved for bathing, as indicated by red buoys set out by the Marine Authority.
4. In zone A free navigation is forbidden.
5. In zones B and C only navigation by sail, oars, pedals or electric propulsion is permitted.
6. In zones B and C access is allowed to motor vessels which are in possession of one of the following environmental compatibility requirements:
 - a. Vessels equipped with tanks for the collection of sewage discharge.
 - b. The motor conforms with Directive 2003/44/CE relating to the emission of gases and noise (outboard electric motors, inboard motors conforming with the regulations, four-stroke outboard motors using green petrol, two-stroke outboard motors with direct injection);
 - c. Use of antifouling paint with zero emission.
7. In zones B and C access for vessels not conforming to the eco/compatibility requirements as detailed at paragraph 6 is allowed only in order to reach the prescribed mooring areas by a perpendicular course.
8. Motor navigation is allowed in accordance with the Maritime Office, at a speed not exceeding 5 knots and in any case always when relocating within the area.
9. It is forbidden to discharge water that has not been purified from the bilge or from other equipment on the vessel or any other toxic or polluting substance or any solid or liquid waste.
10. The use of private equipment for the broadcast of voice or auditory signals is forbidden.
11. For all subjects not specifically mentioned in the above clause please refer to the regulations for navigation of pleasure craft stated herein and the decree establishing the protected marine area “Portofino”.

Article 17 – Regulations for mooring

1. In zone A no mooring is permitted.
2. In zone B mooring is permitted for boats and vessels limited to the following sites selected and marked by the Managing Authority:
 - a. Between Punta Chiappa and Punta del Bussego for boats.
 - b. In the bay of San Fruttuoso, East side, for boats less than 7.5 metres.
 - c. In the Cala degli Inglesi, boats only.
 - d. In the bay of San Fruttuoso, West side, boats and vessels.
3. In zones B and C the mooring of boats at the buoys reserved for diving activities is not permitted.
4. In zone C the mooring of boats and vessels is permitted only at the sites selected and suitably equipped by the Managing Authority.
5. Inside the areas reserved for mooring:
 - a. Diving activities with or without aqualung are not permitted.
 - b. Use of an anchor is not permitted also random navigation and the parking of vessels without mooring.

- c. The mooring must be carried out using only the buoys marked by the Managing Authority.
 - d. In the event of the mooring not being predefined, only the buoys marked with the specific type of pleasure craft (boat, vessel) are to be used for mooring.
 - e. Any activity which may cause disruption to the proper functioning of the mooring area is forbidden.
6. With authorization from the Managing Authority, other zones for mooring of pleasure craft can be located in zones B and C, always considering the need for the preservation of the seabed. These zones are marked in accordance with the requirements of the Environment Ministry.
 7. In order to moor in the protected marine area interested parties must obtain authorization from the Managing Authority with payment of a fee related to:
 - The overall length of the vessel
 - The requirement of eco/compatibility of the craft – see following paragraph 9
 - The length of stay.
 8. The fees due for mooring in the protected marine area and the procedures are detailed in article 28 (following).
 9. The fees payable for mooring in the protected marine area are subject to a discount and a reduced amount if the craft is in accordance with the annual definition by the Managing Authority. Owners of craft and vessels which possess one of the following eco/compatibility requirements are eligible:
 - Vessels equipped with tanks for the collection of sewage discharge
 - The motor conforms with Directive 2003/44/CE relating to the emission of gases and noise (outboard electric motors, inboard motors conforming with the rules, four-stroke outboard motors using green petrol, two-stroke outboard motors with direct injection)
 - Use of antifouling paint with zero emission.
 10. For security maintenance or environmental reasons the Managing Authority can limit access to the mooring zones.
 11. For all regulations not specifically mentioned for mooring activities refer to the current regulations or to the decree establishing the protected marine area.

Article 18 – Rules for anchorage

1. In zones A and B anchorage and towage are not allowed.
2. In zone C anchorage is allowed to boats and vessels with the exception of the following areas which are suitably indicated:
 - a. In the bay of Paraggi (marked with battened rope from 1st march to 31st October and with a cylindrical buoy with a yellow light equipped with a sign “divieto d’ancoraggio” – anchorage forbidden, from 1st November to 28th February.
 - b. In bathing areas marked with red buoys in compliance with the regulations of the Port Authority.
 - c. Inside and in the immediate vicinity of the zones given over to mooring.
 - d. Only to boats, in the sea area between Punta Cannette and Tonnarella, inside the virtual line connecting 3 cylindrical bright yellow buoys fitted with a sign “divieto d’ancoraggio alle imbarcazioni” – anchoring of vessels is forbidden.

3. For all regulations not specifically mentioned for anchorage activities refer to the current regulations or to the decree establishing the protected marine area.

Article 19 – Regulations for education and the dissemination of natural science information

1. In zone A educational and natural science information activities are not allowed.
2. In zones B and C they are allowed subject to the Managing Authority issuing a permit.
3. The Managing Authority authorizes persons with proven experience in the field of environmental education and in the dissemination of information in relation to the marine environment to carry out educational activities within the protected marine area.
4. The persons authorized to execute these activities in order to carry out such duties can dive if required.
5. These authorized persons can moor the vessels in zone B for a period strictly necessary for the completion of such activities in the following mooring locations:
 8. Secca Gonzatti
 11. Testa del Leone
 19. Isuela
6. In order to obtain a permit to carry out educational and the dissemination of natural science activities the applicants must:
 - a. Show the characteristics of the vessel used for the activities as well as the identifying details of the diving licence of each person.
 - b. Pay to the Managing Authority a fee covering administration and reimbursement of costs in accordance with details shown in article 28.
7. For all other activities not defined in the above article the regulations contained in the current document and in the decree establishing the protected marine area apply.

Article 20 – Regulations for sport fishing

1. Spearfishing is forbidden in any part of the protected marine area.
2. The possession and transport of tackle used for underwater fishing within the protected marine area is not permitted.
3. Fishing competitions in the protected marine area are forbidden.
4. In zone A any form of fishing is forbidden.
5. In zone B sport fishing is allowed only by those persons who were at the date of the establishment of the protected marine area "Portofino", residents of Camogli, Portofino and Santa Margherita Ligure subject to authorization from the Managing Authority and using the following equipment:
 - a. From the shoreline, with a maximum of 2 rods without reels, with hooks not less than 18mm in length.
 - b. From a boat, with fixed lines such as ledger lines (fishing tackle in which lead weight keeps the bait on the bottom), with no more than 3 hooks no less than 18mm in length, except at Cala dell'Oro where only 1 line per person is allowed.

- c. From a boat with lines to catch cephalopods (squid, octopus, cuttlefish etc.), using only oars, except at Cala dell’Oro where only 1 line per person is allowed.
 - d. With only one “palangaro” per boat (long-line with hooks trawled), having a maximum of 100 hooks , not less than 22mm in length, lowered to a depth of not less than 40 metres between Punta Chiappa and Casa del Sindaco and to a depth of not less than 50 metres between Casa del Sindaco and Punta del Faro, but not in front of Cala dell’Oro.
 - e. From a motor boat sailing at a speed not more than 5 knots, with no more than 2 trawling lines which are fitted with hooks no less than 18mm in length in both zones included between Punta Chiappa and San Fruttuoso and between San Fruttuoso and Punta del Faro at Portofino.
6. In zone B any fixed tackle located at a distance less than 100 metres from diving sites as specified in article 13 and 14 must be dropped only one hour after sunset and recovered before 8.00 a.m. of the next day.
7. In zone C, sport fishing is permitted for those persons who were at the date of the incorporation of the protected marine area “Portofino” residents of Camogli, Portofino and Santa Margherita Ligure with authorization from the Marine Authority using the following equipment:
- a. From the shoreline, with a line and a maximum of 2 rods with reels, with hooks not less than 18mm in length and lines for cephalopods (squid, octopus, cuttlefish etc.).
 - b. From a boat, with a ledger line (fishing tackle in which lead weight keeps the bait on the bottom), landing net and rod for ledger line, with reel for ledger line, with hooks no less than 18mm and one lot of fishing tackle per person.
 - c. From a boat with “correntine” with no more than 3 hooks not less than 18mm in length
 - d. From a boat with lines for cephalopods moving only by oars.
 - e. With only one “palangaro” per boat (long-line with hooks trawled), having a maximum of 100 hooks , not less than 22mm in length, between the coastal areas from Punta del Faro to Punta Olivetta and from Punta Chiappa to the beginning of the transit canal of Porto Pidocchio, the palangaro must be lowered to a depth not less than 40 metres.
 - f. By means of no more than 5 surface “nattelli” (floating baits), with no more than 2 hooks not less than 18mm in length.
 - g. From a motor boat sailing at a speed not more than 5 knots, with no more than 2 trawling lines which are fitted with hooks no less than 18mm in length.
8. In zone C sport fishing is permitted to people not resident in the municipalities surrounding the protected marine area, with authorization from the Managing Authority using the following equipment:
- a. From the shoreline, with a line and no more than 2 fishing rods with reels with hooks not less than 18mm in length.
 - b. From a boat, with a ledger line (fishing tackle in which lead weight keeps the bait on the bottom), rod for ledger line, with reel for ledger line and hooks no less than 18mm in length and one lot of fishing tackle per person.
9. For the residents of the municipalities surrounding the protected marine area to obtain the authorization for sport fishing in zones B and C the Managing Authority will issue a maximum of 120 permits, operating simultaneously, for fishing using “palangari”, trawling and “nattelli” of which 80 are nominal and 40 are for associations.

10. It is forbidden to use bait and fishing methods which allow the capture of groper of any type or size to allow the natural repopulation in the protected marine area. The accidental capture of groper must be immediately brought to the notice of the Marine Authority.
11. The quantity of fish captured must not be more than 3kgs per person per day unless such a weight is exceeded by the capture of a single specimen.
12. Sport fishermen authorized to fish with “palangari” are obliged to mark with the suitable identification label, issued by the Managing Authority, the float of the fishing tackle, if the equipment is not marked as specified the penalty is removal and requisition by the authorities.
13. Sport fishermen authorized to fish with “palangari”, trawling and “natelli” are obliged to compile the register of fishing outings, stamped by the Managing Authority indicating date, fishing hours, fishing area, type of fishing undertaken, classification of the catch and its weight. The register must be updated at the end of the fishing activity and shown when requested by the Managing Authority and given to the Authority at the completion of the period of authorization.
14. In order to obtain a permit for sport fishing in the protected marine area, the person requesting the permit must pay to the Managing Authority a fee covering administration and expense reimbursement as detailed in the following article 28.
15. In the event of specific environmental requirements the Managing Authority reserves the right to revise the above regulations.
16. For all the subjects not covered in the above article for sport fishing activities, refer to the current regulations and to the decree establishing the protected marine area.

Article 21 – Regulations for professional fishing

1. In the protected marine area trawling drift nets are forbidden.
2. In zone A professional fishing is forbidden.
3. In zones B and C only small scale traditional professional fishing is permitted, this is reserved for the residents of the municipalities of Camogli, Portofino, Santa Margherita Ligure and also the companies and fishing cooperatives having legal residence in the above municipalities on the date the present regulations came into effect.
4. In zone B small scale traditional professional fishing is permitted only with the following tackle and methods:
 - a. Fixed net set perpendicular to the coastline.
 - b. Using only one “palangaro” with a maximum of 200 hooks of maximum length not less than 22 mm, lowered to a depth not less than 40 metres from Punta Chiappa to Casa del Sindaco and to a depth not less than 50 metres from Casa del Sindaco to Punta del Faro, with the exception of the sea area in front of Cala dell’Oro.
5. In zone C small scale traditional professional fishing is allowed using the following equipment and methods:
 - a. Fixed net.
 - b. With only 1 “palangaro” with a maximum of 200 hooks of not less than 22 mm in length at a distance more than 50 metres from the coastline.
 - c. Using “Tonnarella” and “Mugginara” from March to October, in the traditional area near Porto Pidocchio.

- d. In zone B any fixed fixture located at a distance less than 100 metres from the diving sites as detailed in the previous articles 13 and 14 must be lowered one hour after sunset and retrieved before 8 a.m. the following morning.
6. In zones B and C professional fishing of rossetto (*Aphia minuta*) is allowed with authorization from the Managing Authority with methods and times specified by the Ministry of Agriculture and Forestry, such activity is reserved for professional fishermen with a specific licence who have already carried out such fishing activity authorized by the above ministry before 31 December 2004.
7. It is forbidden to discharge into the sea water that has not been purified coming from ships' bilges or from other equipment of the vessel and any toxic or polluting substance including solid or liquid refuse.
8. The request for authorization to carry out professional fishing activities must be submitted at least 30 days prior to the commencement of the activities.
9. The people authorized to carry out small scale traditional professional fishing must advise the Managing Authority yearly of the periods, equipment and fishing methods to be used in within the protected marine area in order to allow checking. Such communications are entered in the register held by the Managing Authority and a copy of such entries is provided to the persons concerned.
10. In the event of specific environmental requirements the Managing Authority reserves the right, with a subsequent ruling to further regulate the method of removal of fish resources.
11. For all subjects not covered in the above article for professional fishing activities, refer to the current regulations and to the decree establishing the protected marine area.

Article 22 – Regulations for recreational fishing

1. In zone A any recreational fishing is forbidden.
2. In zone B and C recreational fishing is allowed with the tackle and methods established in the previous article for persons authorized to carry out small scale traditional professional fishing and in possession of a specific licence to carry out recreational fishing.
3. The improper use of sound equipment for the broadcast of voice and acoustic signals is forbidden.
4. Persons authorized to carry out recreational fishing are requested to supply the Managing Authority with details of the type of fishing carried out in order to monitor the protected marine area.
5. The Managing Authority having consulted the reserve Committee with regard to the requirements of the current set of rules will define the methods for the promotion and carrying out of recreational fishing activities as defined in the current set of regulations.
6. For all the subjects not covered in the above article for recreational fishing, refer to the current regulations and to the decree establishing the protected marine area.

DOCUMENT 4

REGULATIONS FOR THE AUTHORIZATION TO CARRY OUT ACTIVITIES IN THE PROTECTED MARINE AREA “PORTOFINO”

Article 23 – Purpose and area of application

1. The current document provides criteria and procedures for the issue of licences for activities within the protected marine area “Portofino” as provided by the founding decree.
2. Any authorized procedure must be accepted with the knowledge that it may be revoked as provided by the current regulations.
3. The authorized person must keep with him/her the authorizing document so that it can be shown when requested to the representatives legally empowered to check and supervise the activities occurring within the protected marine area.

Article 24 – Request and authorization

1. The request for authorization is submitted to the Managing Authority of the protected marine area on the specific forms which can be obtained from the administrative offices of the Managing Authority or from the website of the protected marine area.
2. The forms are designed by the Managing Authority in accordance with the requirements listed below. Such information (declarations and documents to be attached) is listed on the forms depending on the type of authorization requested.
3. The granting of the authorization as stated in the previous articles entails the obligation to show the specific distinguishing authorization issued by the Managing Authority.
4. The authorization request must specify:
 - a. The particulars of the person making the request.
 - b. The object.
 - c. The type and duration of the activity, specifying the expected commencement date.
 - d. The possession of the qualifications expected by the present rules for the requested activity.
 - e. The preferred method of payment of the fee for the authorization and administrative costs.
5. The Managing Authority reserves the right, if there are serious needs for environmental protection, to temporarily suspend or restrict authorization for activities within the protected marine area “Portofino”.
6. It is the prerogative of the Managing Authority, in order to verify needs of an exceptional nature pertaining to institutional activities, at times to cope with emergency situations to issue, even if contrary to the current regulations, special authorization for a specific purpose.

Article 25 – Documentation to be attached

1. To the request for authorization documentation showing qualifications for the specific activity is to be attached.
2. Substitute declarations of certifications stated in articles 46 and 48 of the decree by the President of the Republic dated 28th December 2000, no. 445 are permitted.

Article 26 – Procedure for the examination of requests for authorization

1. The requests for authorization as noted in the previous article 24 are examined by the technical section of the Managing Authority.
2. The request for authorization is granted or rejected within 60 days from the date of submission except for circumstances specified in Document 3.
3. For all requests forwarded by visitors and non-residents related to tourist activities within the protected marine area (bathing, mooring, anchoring, recreational and sport fishing, individual diving), the Managing Authority will consistently deal with the requests taking into consideration the demands for the requested activity.

Article 27 – Criteria for the evaluation of requests for authorization

1. The Managing Authority will conduct the appropriate inquiries to verify the statements made at the time of the request.
2. The granting of permission to carry out authorized activities in zones B and C as defined in preceding articles can be done by the Managing Authority based on environmental prizes, ballots, quotas and off season periods determined by monitoring the protected marine area and the necessary care of the environment.
3. While authorizing individual activities as specified in the preceding articles, the Managing Authority can favour requests submitted by residents of the municipalities within the protected marine area.
4. While issuing the authorization for carrying out of activities by companies the Managing Authority can favour requests submitted by residents of the municipalities within the protected marine area and those of companies or associations constituted with a majority of members resident in the same municipalities in accordance with the founding decree of the protected marine area and with the principles arising from the law 394/91.
5. While authorizing companies the Managing Authority can favour requests from people who are willing to formalize restraint on charges for services supplied to the users by means of special agreements.
6. The Managing Authority is required to publicize also via the electronic media regulations concerning activities not permitted and procedures for the issuing of permits for the allowed activities.
7. The request for authorization is rejected via explicit and detailed reason:
 - a. If the specific activity is not compatible with the aims of the protected marine area.

- b. In the case of proven violation of the current norm for the sector, from the founding decree or the current rules.
 - c. If the necessity to restrict the flow of tourists and the human load to safeguard the protected area emerges.
8. The eventual rejection of the request for authorization as well as the total ban of the activity will be motivated by the Managing Authority's protection of the environment.
 9. The licence of authorization will be issued provided the regular payment of fees and costs of administration have been verified as per the following article 28.

Article 28 – Fees for the authorization and administration costs

1. People submitting a request for authorization are required to pay a fee for the issue of the relative authorization and administration.
2. The Managing Authority in order to issue the authorization asks the subject making the request to pay administration costs and can request the payment of a fee.
3. The applicant is required to pay the amount requested at the time of issue of the permit with the exception of what is provided for in paragraph 5.
4. The fee for the issuing of the authorization to carry out individual diving in zone B and possible use of single buoys located for such purpose is calculated on the basis of daily, weekly, monthly or annual use.
5. The fee for the issue of authorization to diving centres for underwater guided tours including escorting and support personnel in the protected marine area is worked out on an annual or triennial basis. The applicant is required to pay 50% of the agreed amount at the time of issue of the authorization and finalize the payment within 120 days from the issue of the permit. If the request is submitted by the 30th November of the preceding year, the fee for the permit is reduced in accordance with the rules established annually by the Managing Authority.
6. The fee for the issue of the authorization for mooring in the protected marine area is worked out on a daily, weekly, monthly basis depending on the overall length of the vessel. For the management of mooring services and the cashing on the spot of fees for the authorization to park, the Managing Authority could avail itself of companies or third parties authorized for the purpose.
7. The fee for the authorization to carry out educational activities and the dissemination of natural science information in the protected marine area is worked out on a monthly or annual basis depending on the passenger capacity of the vessel and the period of operation.
8. The fee for the authorization to carry out sport fishing in the protected marine area is worked out on a monthly or annual basis depending on the method of fishing.
9. The fees for the authorization for the above paragraphs are reduced for owners of vessels which conform to environmentally compatible requirements as indicated in the preceding article 16.
10. The payment of fees as detailed in the current article can be made by different methods as indicated by the Managing Authority with a later provision.

11. The Managing Authority can authorize the operators and the managers of services who request it to use the registered logo of the protected marine area in order to publicise the activities, fixing an eventual fee.

DOCUMENT 5

FINAL REQUIREMENTS

Article 29 – Monitoring and updating

1. The Managing Authority carries out continuous monitoring of the environmental and socioeconomic conditions of the protected marine area and of the authorized activities according to the rules issued by the Environment Ministry and on this basis compiles an annual report on the condition of the protected marine area.
2. The Managing Authority on the basis of the data acquired via monitoring as per paragraph 1 verifies at least every 3 years the adequacy of the regulations of the founding decree concerning the limits, aims, zoning and care regimes applying to the different areas, also the detailed instructions of the current rules, to the environmental and socioeconomic needs of the protected marine area and if found necessary proposes to the Environment Ministry the updating of the founding decree or the current regulations.

Article 30 – Surveillance

1. Surveillance within the protected area is carried out by the Port Authority and by the police of the local agencies in charge of the management of the area in coordination with personnel of the Managing Authority which carries out service activities, control and information on land and sea.

Article 31 – Publicity

1. The current organizational regulations, once they come into force will be exhibited along with the founding decree in the rooms of the protected marine area offices and also at the registered administrative office of the Managing Authority.
2. The Managing Authority will provide on the website of the protected marine area the official text of the current regulations and the founding decree.
3. The Managing Authority will provide for the distribution of pamphlets giving information and guidelines of the current organizational regulations and founding decree of the protected marine area to the headquarters of associations for tourist promotion with quarters located within the protected marine area and also people interested in the management and/or organization of the tourist flow.

4. The responsible party of any commercial undertaking with a marine area permit will have to ensure and maintain the viewing of the current organization rules and founding decree of the protected marine area in a location readily visible to the users.

Article 32 – Sanctions

1. For an infringement of the provisions incorporated in the founding decree of the protected marine area or the current regulations, unless disciplined in a different way or if it constitutes a criminal offence, article 30 of the law dated 6th December 1991, no.394 and subsequent modifications are applicable.
2. In the event that the proven infringement under paragraph 1 causes a modification to the conditions of the environment or the sites, the Managing Authority will order the immediate suspension of the damaging activity and order the rehabilitation of the animal or vegetable species. In the event of the necessity for construction or modification works the guilty party, whether a person or the owner of a company or the work's director will have total responsibility for the expenses involved. In the event of non-action to the above order, the Managing Authority will provide for the carrying out of the rehabilitation works, the costs to be borne by the guilty party according to the procedure provided for in article 29 of the law dated 6th December 1991 no. 394.
3. If an infringement of the provisions of the founding decree of the protected marine area or of the current regulations is proven, including the improper use of authorization documentation, the authorizations issued by the Managing Authority can be suspended or revoked independently from the application of penal and administrative sanctions provided for by the current regulations.
4. The statement confirming the infringement of the provisions defined in paragraph 1, compiled by the authorities entrusted with the surveillance of the protected marine area must be immediately transmitted to the Managing Authority who will take steps to impose the relative sanctions.
5. The income acquired from the application of sanctions defined above will be included in the balance sheet of the Managing Authority and used for the financing of the managing activities, in accordance with the institutional aims of the protected marine area.