

**Ministry of Infrastructures and Transports**  
**MARITIME OFFICE OF ALGHERO**

**ORD. N. 6/2020**

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**REGULATION OF DISCIPLINE OF NAUTICAL LEISURE  
IN THE AREA OF THE MARITIME AREA OF ALGHERO**

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CHAPTER I.

DEFINITIONS AND SCOPE OF APPLICATION

Art. 1 - (Territorial scope of application)

1. The provisions of these Regulations apply within the **Maritime District of Alghero, that is in the stretch of coast and in front of the stretch of water between Capo Falcone and Punta Tangone.**

Art. 2 - (Application)

1. This Regulation governs activities for any reason connected with pleasure boating, including the leasing and rental of pleasure boats and similar and underwater activities for tourist and sporting purposes.

2. In addition to the above, the use and circulation of jet skis / jet skis are regulated e similar, the use and circulation of sailboards, kite boards and the like, the use of boards driven by wave motion (surf, bodyboard, bodysurf) and similar or similar, the use of sailing boats with a sail area of less than 4 square meters, water skiing, parasailing at sea, towing of floats commonly known as banana boats and similar, towed snorkeling.

3. For anything not expressly regulated in these Regulations, express reference is made to the current laws and regulations on the subject, as well as to the other current Ordinances issued by this Maritime District Office to regulate specific aspects of competence.

Art. 3 - (Definitions)

1. For the purposes of this Regulation, the following definitions are used:

Recreational navigation: navigation carried out for sporting or recreational purposes from which the purpose of profit is excluded. Recreational craft: any construction of any type and with any means of propulsion intended for pleasure boating.

Large pleasure vessel: means any unit with a hull longer than twenty-four meters, measured according to the harmonized standard UNI / EN / ISO / 8666, and of tonnage greater than 500 gross tonnage, hereinafter GT, or 600 tonnes of tonnage gross, hereinafter TSL.

Small pleasure craft: means any unit with a hull longer than twenty-four meters, measured according to the harmonized standard UNI / EN / ISO / 8666, and with a tonnage up to 500 GT or 600 GRT, excluding the units referred to in point previous one.

Historic minor pleasure ship: means any unit with a hull longer than twenty-four meters, measured according to the harmonized standard UNI / EN / ISO / 8666, and with a tonnage up to 120 GT or 100 GRT, built before 1 January 1967.

Pleasure craft: means any unit with a hull longer than ten meters and up to twenty-four meters, measured according to the harmonized standard UNI / EN / ISO / 8666. Recreational craft: means any unit with oars or with a hull of ten or less length

meters, measured according to the harmonized standard UNI / EN / ISO / 8666, with the exclusion of personal watercraft.

Watercraft or Jet Ski: means any recreational craft with a hull length of less than four meters, which uses a propulsion engine with a water jet pump as its primary source of propulsion and intended to be operated by one or more people sitting, standing or kneeling on the hull, rather than inside it.

Beach boats: the boats referred to in art. 27, paragraph 3 letter. c) of the Recreational Boating Code leased by bathing establishments for use by bathers. In particular, these are: boats called jole, pattini, sandolini, flies, pedal boats, self-propelled or non-self-propelled boards and sailboats with a sail area not exceeding 4 square meters, canoes, kayaks. Jet skis are excluded for the purposes of this regulation.

Commercial use of pleasure craft: the use, for commercial purposes, of pleasure craft that are subject to lease and / or rental agreements, or that are used by diving centers and diving training as a support unit for scuba diving practitioners for the purpose sports or recreational, or which are used for professional teaching of navigation by pleasure craft, or which are used for mooring assistance for units within structures dedicated to pleasure boating, or that are used for the assistance and towing of the units pleasure craft; it follows that the transport of people or goods with pleasure boats is not allowed aforementioned commercial uses;

Lease: contract by which one of the parties undertakes to make the other enjoy the pleasure craft for a given period of time. The unit passes into the autonomous use of the tenant who exercises navigation with it and assumes responsibility and risks.

Rental: contract by which one of the parties, in consideration of the agreed rental, undertakes to perform a specific navigation with the pleasure craft or, within the agreed period of time, the navigation ordered by the other party under the conditions established by the contract having on board no more than 12 passengers excluding the crew. The rented unit remains in the availability of the renter, in whose dependence the crew also remains.

Navigation limits: maximum distance from the coast to which a pleasure craft can navigate based on its technical characteristics and on the basis of any qualifications issued.

Safety certificate: document issued to ships and pleasure boats that certifies the seaworthiness of the unit; it is part of the on-board documents.

Passenger: any person who is not part of the crew, older than 1 year.

Requirements for the conduct: age and / or qualification required for the command and / or the conduct of pleasure craft.

Safety equipment: tools and equipment whose presence is necessary to guarantee the safety of navigation and of people embarked on a pleasure craft.

Launch corridors: appropriately delimited and regulated stretches of water, used for the landing of pleasure craft.

Water skiing: Nautical activity described and regulated with D.M. January 21, 1960, as modified by the D.M. July 15, 1974.

Parachuting: flying activities using a towed parachute with the aid of a vehicle nautical.

"JetLev Flyer" and similar: floating vehicle equipped with an internal combustion engine, very similar to a jet ski, and a jet apparatus consisting of two waterjet nozzles, connected to the back of the user / driver, connected to the first by a tube, through which the floating unit sends sea water under pressure

which the hydrojet nozzles then expel, giving the conductor hydrodynamic support, direction and speed.

“Flyboard” and similar: jet apparatus consisting of two water jet nozzles placed on worn boots by the user / conductor and connected to a jet ski through a hose and a coupling suitable for any type of jet ski, which uses the same principle of movement and support as the JetLev Flyer.

Underwater activities for tourist and sporting purposes: scuba diving, in apnea or with the use of breathing aids, carried out by individuals, individuals or groups, accompanied by diving instructors or guides, aimed at:

- 1) the exploration of the sea and the seabed;
- 2) the achievement of sports diving licenses;
- 3) the practice of sporting-competitive activity;
- 4) to take photographs and amateur filming.

Underwater activities for scientific purposes: scuba diving in apnea or with the use of breathing aids, carried out by individuals or groups, accompanied or not by diving instructors and guides, aimed at study and scientific research.

Underwater activities for video-photographic or documentary purposes: scuba diving, freediving or with the use of breathing aids, carried out by individuals or groups, accompanied or not by diving instructors and guides, aimed at obtaining professional photographic, cinematographic and television footage .

Non-professional underwater fishing: pursuant to art. 6, paragraph 5, of Legislative Decree 9 January 2012, n. 4, q underwater fishing that exploits living marine aquatic resources for purposes other than those of professional fishing (ie for recreational, tourism, sports and scientific purposes).

Snorkeling: activity consisting in swimming on the surface using a diving mask and snorkel (or similar), occasionally performing short apnea dives to observe the seabed, flora and marine fauna.

Didactic organization for underwater activities: as foreseen by the Regional Law 26 February 1999 n. 9, means a company or association, with national or international diffusion, both Italian and foreign, in whose training path is foreseen from the entry level to that of diving instructor, in addition to the techniques and basic theory, theoretical and practical training including :

- a) rescue and first aid techniques and theory specific for scuba diving;
- b) techniques and theory of accompaniment of individuals and groups and of support to instructors;
- c) diving management techniques and theory.

Scuba diving center: as required by the Regional Law February 26, 1999 n. 9, means a company that has logistical, organizational and instrumental resources to offer specialized services for tourism by supporting the practice and learning of tourism-

recreational diving, with operating standards that guarantee maximum safety for customers and operators, as well as compliance with accident prevention and environmental protection regulations.

Underwater instructor: means who, in possession of the corresponding license, for tourism and recreational purposes, accompanies individuals or groups in scuba diving and professionally teaches scuba diving techniques to individuals and groups, in all its specializations, issuing the relative patents .

Underwater guide: subject in possession of the requirements referred to in Articles 5 and 7 of the Regional Law 18 December 2006, n. 20, which accompanies individuals or groups of people in possession of a license in scuba diving, for tourist - recreational purposes.

Service provider: natural or legal person who, in the company name, or in the statute, provides for the offer of services of:

- didactics and diving training
- organized and guided dives
- guided snorkeling
- surface technical / logistic support for unguided dives.

Group: two or more people who receive services from a supplier, followed by instructors and / or dive guides.

Didactic diving: service offered by a supplier consisting of dives in which divers they are supervised by instructors and can be aimed at obtaining a diving license.

Organized diving: service offered by a supplier consisting of a dive in which divers already have a qualification and experience of a level suitable for the activity they are carrying out at the dive site.

Guided dive: organized dive where customers are also accompanied underwater by personnel appointed by the service provider.

Individual immersion: immersion carried out by individuals, individually or even in a group, without however the conduct of instructors or guides.

Support vessel: pursuant to art. 2 of Legislative Decree 18 July 2005, n. 171: pleasure craft used by diving and underwater training centers for scuba diving practitioners for sporting or recreational purposes, accompanied and equipped with individual and collective life-saving equipment, safety equipment and other additional equipment required by current legislation (Ministerial Decree no. 146 of 29 July 2008, articles 90 and 91).

Person able to provide assistance: a person necessarily with a license to command / conducted regardless of the power of the motor installed on the unit (the just the aforementioned prescription enters into force from 01.01.2021 while remaining mandatory for the didactic dives as per the previous regulation), able to carry out the foreseen emergency communications, with duly certified knowledge sufficient to deal with an emergency first aid at sea pending the intervention of specialized personnel.

Patent: a training certificate issued by a diving instructor under his own responsibility, after passing the relative theoretical and practical course, and issued by a didactic organization for underwater activities.  
Non autonomous diver (level 1 recreational diver): a diver, not in possession of any patent, which must be trained to have sufficient skills regarding knowledge, to exercises and experiences in open water, under the direct supervision of a diving instructor.

Towed snorkelling: snorkeling activity that consists of advancing in the water using the low speed towing of a sled to which the bather is connected with his hands free. The sled is basically made up of two compensated or semi-compensated rudders that allow the snorkeler to vary the depth at which he wishes to be towed, to approach and to perform one or more twists. Some models consist of a simple wing on which the handles are obtained for the bather constituted in the forms of the law or legally recognized to operate in the underwater sports and recreational sector;

Seaside Season: season between 1st January and 31st December of each year.

Summer Bathing Season: portion of the bathing season between 1st April and 31st October of each year dedicated to helium therapy, sporting, cultural, recreational and entertainment activities and for everything concerning the respective commercial licenses, in compliance with as indicated with specific Ordinances by the territorially competent Municipalities.

Winter Seaside Season - Winter Sea: residual period of the Seaside season beyond the Summer Seaside Season.

## CHAPTER II GENERAL SAFETY RULES FOR RECREATIONAL UNITS

### Art. 4 - (Safety regulations, navigation and speed limits)

1. Except for specific exceptions on the occasion of sporting events, pleasure craft must comply with the rules of the International Regulations for preventing collisions at sea (COLREG 72), ratified by Law December 27, 1977, n. 1085, referred to in the introduction.
2. Except for the different discipline provided for some specific cases of this Regulation, during the bathing season identified with a provision of the Autonomous Region of Sardinia, from dawn to dusk, the navigation limits and speeds within the Maritime District of Alghero are those governed by the current Ordinance of the Port Authority of Porto Torres, referred to in the introduction and to which express reference is made.
3. During the summer bathing season, in the strip of sea between the limit of the waters reserved for bathing and 500 meters from the rocky coasts high above the sea, or 1,000 meters from the beaches, the navigation of any vessel must take place at a speed not exceeding 10 knots and, in any case, with the hulls in displacement.
4. During the summer bathing season, in the stretches of water reserved for bathing, the landing and the departure from the beach of pleasure boats with motor / sail / sail with auxiliary engine, boards a sail and jet skis, as well as towing units for floats and small inflatable boats (banana type boat) must compulsorily take place within special launch corridors, as regulated by the current Bathing Safety Ordinance, to which express reference is made, and, for kite surfers, by the following chapter VI.
5. Without prejudice to the provisions of specific regulatory provisions regarding the discipline of activities within the Capo Caccia - Isola Piana Marine Protected Area, the regulations relating to the present Regulations apply, for the technical aspects, also within the aforementioned Marine Protected Area.

### Art. 5 - (Safety equipment for pleasure craft)

All pleasure craft must be provided, when sailing, with life saving means and safety equipment provided for by the Regulations (Annex V to Ministerial Decree no. 146 of 29 July 2008), in relation to the number of people transported and the distance from the coast to which the navigation is carried out, with the main purpose of safeguarding the safety of human life at sea, without prejudice to the responsibility of the captain / conductor to equip the unit with those additional means and safety equipment suggested by normal common sense.

### Art. 6 - (Navigation limits of pleasure craft)

1. Pleasure vessels are authorized to sail without limits from the coast.
2. With regard to pleasure boats, the limits are those indicated on the navigation license issued in line with the provisions of Article 22, paragraph 3 of the Recreational Boating Code, with particular mention for the different regulations envisaged for units without CE marking and for units with CE marking.
3. As regards, on the other hand, recreational craft, reference should be made in full to the provisions of Article 27 of the Recreational Boating Code.
4. Without prejudice to the navigation limits provided for the different types of recreational craft indicated in the article referred to in the previous point, as regards the smaller vessels indicated below, in the Maritime District of Alghero, the following limits apply:
  - a) boats commonly called jole, pattini, sandolini, flies, pedal boats and similar means rowing or pedaling beach, canoes, kayaks, can navigate during the day and with weather conditions favorable marinas, within 500 meters from the coast. Over 300 meters it is necessary to equip these units with equipment required by current safety regulations for navigation carried out;
  - b) sailboats with a sail area not exceeding 4 square meters, can sail during the day and with favorable marine weather conditions, at a distance not exceeding 1 nautical mile from the coast;
  - c) the use of non-self-propelled or self-propelled boards and jet skis and similar boats

q governed by the bathing safety ordinance in force and by the rules contained in the following Heads.

Art. 7 - (Maximum number of people transportable on board the pleasure craft)

1. A number of people equal to that for which they can embark on pleasure boats have been approved and declared compliant with specific documents to be kept on board during navigation.
2. In the absence of approval and declaration of conformity, ie in the case of non-approved prototypes, the number of transportable persons is determined in accordance with art. 60 of the D.M. 29 July 2008, n. 146, unless any different technical certification to be kept on board, issued by a suitable authorized and / or notified technical body, according to the following grid:

L.O.A. up to mt 3,50	3 people
L.O.A. over mt. 3,50 and up to mt. 4,50	4 people
L.O.A. over mt. 4,50 and up to mt. 6,00	5 people
L.O.A. over mt. 6,00 and up to mt. 7,50	6 people
L.O.A. over mt. 7,50 and up to mt. 8,50	7 people
L.O.A. over mt. 8,50	9 people
N.B. In case of embarkation of diving equipment, the number of transportable people is reduced in reason of one person for every 75 kg. of material on board	

3. However, in the event that a number of persons equal to the maximum previously determined, the vessel will not have to undergo one excessive heeling even with all the people sitting at the gunwale (upper edge of the sides of the pleasure craft) of the same side, and must maintain a free edge of at least 15 centimeters. Should this not be ensured, the maximum number of people transportable must be recalculated by repeating the above procedure removing, from time to time, one person until a freeboard of at least 15 cm on the heel side is guaranteed.

4. In any case, no more than one person can be boarded on the sailboards.

5. In the absence of certification and / or homologation, the number of transportable persons must be such as to guarantee the safety of the vessel on jet skis, sandolini, skates, jolas, flies, canoes, kayaks and the like.

Art. 8 - (Maintenance of navigability conditions)

1. Based on the provisions of the Ministerial Decree 29 July 2008, n. 146, in art. 69, the owner of the pleasure craft has the obligation to keep the unit in good conditions of use and maintenance as regards the hull, the engine, the electrical system and the protection against fire, as well as to provide the replacement of equipment, life-saving appliances and safety equipment that show deterioration or deficiencies such as to compromise their efficiency.

2. The commander / driver of the unit also has the obligation to keep the quantity of fuel on board sufficient to carry out the planned navigation in safety, avoiding creating situations of potential danger related to the exhaustion of the fuel, placing the utmost caution in determining undermined by common sense and seafaring expertise, also in relation to the other checks to be carried out before departure (consultation of the weather forecast, of the Ordinances issued by the Maritime Authority, verification of on-board documents, etc.).

## CHAPTER III

### LEASE AND / OR RENTAL OF RECREATIONAL UNITS AND SIMILAR VEHICLES USED IN BUSINESS TOURIST-RECREATIONAL

#### Art. 9 - (Conditions of leasing / rental of pleasure boats)

1. For the purposes of these Regulations, pleasure craft owned or in the availability of the firms / enterprises referred to in article 10 may be leased / hired.
2. The specific discipline is also applicable to sports associations and non-profit legal entities.
3. For the command and the conduct of the leased pleasure craft the general requirements of qualification required by law in relation to the classification and characteristics of the units themselves.
4. In the case of leasing the captain / driver must be able to swim.

#### Art. 10 - (Requirements for carrying out the professional leasing / rental activity)

1. Individual companies / firms having a permanent establishment in the territory of the European Union, in order to be able to lease / hire pleasure craft for recreational purposes or for tourist uses of a local nature within the Maritime District of Alghero, they must be registered in the registers kept at the territorially competent Chamber of Commerce and must be in possession of any authorization measure pertaining to organs or entities to which the law recognizes, for various reasons, specific powers in the sectors directly or indirectly connected to the activity in question.
2. In order to carry out the aforementioned activity within the Alghero Maritime District, the companies / firms in question must submit a specific communication in double copy to the Alghero Maritime District Office, as per the model in Annex 1.
3. The following documentation must be attached to the aforementioned communication, which may always be updated:
  - a) substitutive declaration made pursuant to D.P.R. 445/2000 (so-called self-certification), relative registration with the territorially competent Chamber of Commerce, with an indication of the leasing / rental activities carried out;
  - b) copy of an identity document, in regular course of validity, of the lawyer representative / attorney of the firm / company referred to;
  - c) list of units used for leasing / rental, with indication of their characteristics main (type, manufacturer, engine power and photo also in digital format of the vessel), as per the self-certification in Annex 2;
  - d) indication of the place of stable mooring of the nautical means used. Where the place is not located within a port / landing place, it must be specified whether a corridor of launch according to the dictates contained in the bathing safety ordinance in force;
  - e) complete particulars of the captains / drivers of the pleasure craft to be hired. Such units must be conducted only by the owner or by employees in possession of nautical license, with mastery of the naval unit and of the places, also as regards the changing weather and sea conditions;
  - f) copy of the insurance policy in the name of the firm / company valid for each individual units, guaranteeing all people on board, including the crew, in the case of rental, and third party liability;
  - g) copy of any certificate of approval / declaration of conformity;
  - h) copy of the engine use certificate / power declaration;
  - i) copy of the rental eligibility certificate for each individual vessel, as required by art. 82 of

D.M. 146/2008, together with the list of rescue vehicles and safety equipment embarked pursuant to art. 88 and on the model referred to in Annex XI of the same Decree;

4. For the exercise of this activity no authorization will be issued by the Alghero Maritime District Office which, having verified the requirements, will affix a visa on the communication presented according to the guidelines contained in the previous points, returning one copy to the interested party; the aforementioned certified copy must be kept on board the units (also a copy) and exhibited in case of control by the competent authorities.

5. The companies / firms are required to notify the Alghero Maritime District Office of the cessation of activity within 15 days. from its occurrence.

6. Annually, the owner / legal representative of the company / firm must submit a communication with which you certify your willingness to start / continue the activity for the reference year, providing the necessary documentation proving any changes that have occurred compared to the first communication provided to the Maritime Authority of Alghero. The presentation of the communication referred to

above, however, must take place at least 15 days before the first lease / rental contract expected to be stipulated in the reference year. If no

communication in a specific calendar year, the applicant may in any case renew the will to continue the activity in the following year by presenting all the documentation required by the previous one point 3.

7. The use of state-owned areas aimed at the parking and mooring of pleasure craft q, in any case, subject to the acquisition of suitable concession / authorization titles (for example registration pursuant to art. 68 of the Navigation Code) issued by the competent bodies.

#### Art. 11 - (Safety rules for the leasing and rental of pleasure boats)

1. The pleasure boats used in the lease / rental must be clearly marked with the name of the company or company name of the lessor / renter, the maximum number of transportable persons and the progressive numbering (example: Soc. "SOLE" - or the name of the bathing establishment if the latter is renting or renting - boat n.1 - max people n.4 - see, in this regard, the provisions of art.7).

2. The lessor / renter must record the following data in the appropriate register (Annex 3), which must always be made immediately available for checks by the competent police bodies:

- a) progressive daily number of the contract;
- b) date;
- c) extremes of the nautical vessel;
- d) contract number,
- e) delivery time,
- f) pick-up time,
- g) surname, name of the tenant;
- h) mobile phone number of the tenant;
- i) details of the nautical license / maritime professional title that enables the conductor, or who for it, in command of the unit, if required;
- j) number of passengers on departure;
- k) presence of minors on board at departure (yes / no). If yes, please indicate the number;
- l) sea area of maximum use and time of expected return.



3. The register referred to in the previous paragraph must be submitted on a quarterly basis (within the first 5

days of April, July, October, January) for the endorsement, to the Maritime District Office of Alghero.

4. The lease / rental contracts stipulated between the parties according to the regulations in force on the subject must

always be signed in advance of the actual use of nautical vehicles by the driver / renter and must be numbered consecutively (e.g. 01/2020). Copy of the above contract must be kept on board during navigation and must be shown at the request of police bodies.

5. The lessor / charterer must deliver / maintain the vessel in perfect working order, complete with all the safety equipment and covered by the insurance provided for by the regulations in force. In case of rental, the insurance is extended in favor of the crew and passengers for accidents and damages suffered on the occasion or dependence of the contract, in accordance with the provisions and ceilings set for civil liability. They must also check that the documents that enable navigation are valid and kept on board and that the people on board do not exceed the number or weight maximum allowed.

6. The landlord is obliged to formally inform the contracting party of the current safety regulations as well as on the rules of this Ordinance relating to the use of leased pleasure boats, as well as on the obligation to return to shore in the event of worsening weather conditions which, in any case, at the beginning of the leasing activity, they must be favorable. In this regard, if the conductor should not be in possession of a nautical license, because it is not required by type of vehicle, the lessor must prepare, endorsing them, brief instructions concerning the management of the vehicle nautical and specific for it; the instructions must be kept on board and must include the information considered useful, including, for example: the maximum speed that can be reached under standard conditions, factors that could lead to a fire / leak hazard, seaworthiness and tendency to roll / pitch, location of rescue vehicles and distress signals, etc. However, the lessor / lessee's prudent appreciation is included in the assessment relating to the possibility of making the vessel available according to objective factors that can corroborate his choice (forecast of worsening weather and sea conditions, qualifications and experience possessed by the tenant to entrust the vessels, etc.). The tenant (both for rental and for rental) must have the Meteomar bulletin of the day in appropriate collection, relating to the area of interest, of the nautical map of the area, of notices to mariners and the additional special provisions of the maritime police in force in the area, both of a permanent nature what a transient.

7. Anyone engaged in the rental or leasing of boats must always keep a suitable one ready for use rescue units (Annex 4) capable of quickly providing assistance within the limits of the vessels leased / rented, equipped with engine, lifebuoy, towing cable, a gaff and an anchor at least 30 meters of cable to deal with emergency interventions that may affect the boats leased / leased. Said unit q, in the opinion of the dealer, also recommended when the lessor / renter q also owner of a bathing establishment which only leases beach vehicles a oars or pedals, enabled to navigate within 500 meters from the coast and is already equipped with a service vehicle rescue and rescue. The aforementioned unit, in the latter case, should the dealer so wish implement it, it would be intended in addition to and not in substitution of the rowing vessel used for rescue for the bathing facility.

8. The vessels used in rental activities must be in possession of the certificate of suitability provided for by art. 82 of the D.M. 146/2008, together with the list of rescue vehicles and safety equipment embarked pursuant to art. 88 and according to the model referred to in Annex XI.

9. Vessels intended for leasing and / or chartering must, as regards life-saving means and the safety equipment, comply with the provisions respectively of Annexes V and X of the D.M. 146/2008.

10. Pleasure craft used for leasing / rental can be used exclusively for commercial activities for which they are used in accordance with art 2 of Legislative Decree 171/2005 and subsequent amendments ii ..

11. Non-motorized boats, in principle, can only be entrusted to persons aged 14 or over, unless further indications are contained in these Regulations in the dedicated paragraphs.

12. For the rental of pleasure boats equipped with engines having a displacement or a power lower than that provided for in paragraph 1, letter b., Of art. 39 of Legislative Decree 171/2005 and subsequent amendments ii., the lessor must verify that the lessee, if not in possession of a nautical license, is over 16 years of age and is required to inform him, among other things, that he must navigate within 6 miles of the coast. For the rental of pleasure boats equipped with engines having a displacement or a power greater than that provided for in paragraph 1, letter b., Of art. 39 Legislative Decree 171/2005 and subsequent amendments ii., as well as for the conduction of jet skis, the lessor must verify that the driver is 18 years of age and that he is in possession of a valid nautical license.

13. For the command and the conduct of pleasure boats used for hire or always possession of a nautical license is mandatory regardless of the power or displacement of the engine. The aforementioned boats, used for hire, may carry a number of people not exceeding

12, excluding the crew, even if approved for the transport of a greater number of people. By crew we mean only and exclusively the person / persons employed by the renting company / company.

14. If necessary, the landlord is obliged to ask his customer to show the required qualification and indicate the details in the register referred to in paragraph 2 above.

15. The jet skis must be used during the day and in favorable marine weather conditions and insured.

16. Renters of jet skis must equip them with a special remote extinguishing device to be used in the event of improper conduct of the vehicles.

17. The provisions of this article do not apply to the rental of beach boats, such as pedal boats, skates, etc., for which the provisions of the following article 12 apply.

Art. 12 - (Rental of beach boats, such as jole, skates, pedal boats, etc.)

1. The rental of pleasure boats with oars or pedals, as well as those commonly known as jole, skates,, pedal boats, sailboards and similar vehicles, as well as sailing boats with a sail area not exceeding 4 square meters, q regulated as follows:

a) the rental can be made during the day with weather and sea conditions and visibility favorable. Leasing is therefore prohibited in the event of adverse weather conditions;

b) the rental of beach boats can only be made in favor of people of old age less than 14 years old;

c) if rented by bathing establishments, the aforementioned boats must be used during the relative opening hours;

d) the hulls must be marked by indicating the firm or company name with a progressive number (example. XXXX / 01, XXXX / 02);

e) if the landlord does not have a lifeguard license, he must use it in person qualified that meets this requirement;

f) the lessor must always keep a suitable rescue unit ready for use and, in any case, capable to provide assistance within the limits of the rented boats, equipped with a lifebuoy, tow cable,

a gaffa and an anchor with at least 30 meters of cable to deal with emergency interventions should affect leased vessels. This unit is not mandatory when the landlord is also bathing establishment concessionaire, as it is already equipped with a nautical vehicle used for the service of rescue and rescue which, in the opinion of the lessor himself, could be used for assistance for small boats. It can however be used for this purpose, in addition and not in replacement of the aforementioned rowing rescue boat, also a unit compliant with requirements indicated in point 7 of the previous article, equipped with motor.

g) The landlord is obliged to formally inform the contracting party of the current safety regulations as well as the rules of this ordinance relating to the use of leased pleasure boats, as well as on the obligation to return to the ground in the event of worsening weather conditions, which, in any case, at the start of the leasing activity must be favorable. It does, however in the prudent appraisal of the lessor, the assessment relating to the possibility of rendering the vessel is available according to objective factors that can corroborate his choice (forecast of worsening of marine weather conditions, titles owned by the tenant which entrust the boats, etc.).

2. The pleasure craft referred to in this article may not depart more than 500 meters from the coast. To navigate over 300 meters it is necessary to equip these units with the equipment required by current safety regulations due to the navigation carried out.

3. The companies / concessionaires of bathing establishments that carry out the leasing / rental of small beach boats must keep a simplified register (Annex 8), which must be duly completed in its entirety before delivery of the vessel. This register must be shown at the request of the control bodies.

#### Art. 13 - (Sailing schools - Sailing schools)

1. By sailing school we mean any school that has as its purpose the instruction for the conduct of pleasure sailing boats.

2. By windsurfing schools we mean any school that has as its purpose the instruction for the conduct of "windsurf" and "kitesurf" and similar sailboards.

3. To carry out the aforementioned activities, schools must be:

a) companies, sports clubs, associations or companies that expressly provide for such activity in their company name or in their Statute and affiliated to the respective national Federations;

b) equipped with any authorization, license, clearance, etc. provided for by current regulations and by civil liability insurance also for students and instructors in charge

of the training activity.

4. The use of the boats by the schools referred to in this Chapter is subject to current regulations on pleasure boating.

5. The training at sea of the participating students must take place:

a) during the day and with favorable weather and sea conditions and visibility;

b) with the aid of a jet or motor boat with a shielded propeller, which must be stationed near the students, ready to lend assistance;

c) for departure and landing from areas frequented by bathers, navigation to reach the the training area must take place within the appropriate launch corridors. It must be used every precaution suggested by the technical-nautical expertise in order to avoid accidents.

6. All people on board the boats and sailboards must wear a life belt with a whistle.

## CHAPTER IV

### PARTICULAR RULES FOR THE USE AND CIRCULATION OF "ACQUASCOOTERS" OR "WATERCRAFT" AND SIMILAR

#### Art. 14 - (Requirements for conduct)

Based on the provisions of art. 39, paragraph 1, letter a) of Legislative Decree 171/2005 "Code of recreational boating", for the management of jet skis or jet skis and similar vehicles, possession of a nautical license is required.

#### Art. 15 - (Limits and prohibitions of navigation)

1. Without prejudice to the provisions of its current Bathing Safety Ordinance and that concerning the distance from the coast and speed limits in the Porto Torres Maritime Compartment, which also includes the Maritime District of Alghero, to pleasure craft called water scooters, motorcycles 'water, jet-skis and similar boats q it is forbidden to sail:

a) inside the ports, at a distance of less than 500 meters from the entrance and along the routes of access to the ports themselves. However, the crossing is allowed for arrival and departure from mooring docks, from the slides and for the supply of fuel, as long as it is done with direct routes, perpendicular to the coast and with speeds not exceeding 3 (three) knots;

b) in the stretches of water forbidden to navigation for health and hygiene reasons;

c) during the summer bathing season within 500 meters from the coast, during the remaining period

of the year within 300 meters from the coast, without prejudice to the possibility of reaching the operating areas permitted through the launch corridors and / or, in any case, outside these with a direct route, perpendicular to the coast and speed not exceeding 10 knots nodes in the launch corridors);

d) from sunset to sunrise and in adverse weather and sea conditions and visibility;

e) at distances from the coast greater than one nautical mile (1,852 meters), except in cases of events organized and regulated when necessary;

f) in areas intended for anchoring ships and at a distance of less than 500 meters from merchant ships and from military ships even when they are at anchor;

g) less than 100 meters from floats or units that signal the presence of divers in immersion;

h) at a distance of less than 200 meters from fixed plants, gill nets and plants of aquaculture;

i) at a distance greater than one mile from the basic nautical vessel, if the jet ski is operating as a service boat / tender;

j) within the "Capo Caccia - Isola Piana" marine protected area.

2. It is also forbidden to drive the jet ski:

a) to compete at speed;

b) to tow the water skier, the paratrooper, the inflatable float (so-called

banana-boat and the like), snorkelers and in general to tow things or people unless expressly authorized by the competent authority.

#### Art. 16 - (Speed limits)

1. Without prejudice to the provisions of the current Ordinance regarding the limits of distance from the coast and speed in the Maritime Compartment of Porto Torres, the pleasure craft called water scooters, jet skis, jet-skis and similar vessels must observe the following limits of speed:

a) maximum 10 (ten) knots to reach the stretch of sea referred to in article 15, paragraph 1 above lett. c), maintaining a constant course and as much as possible perpendicular to the coast;

b) maximum 3 (three) nodes for navigation within the launch corridors;

c) maximum 3 (three) nodes for entry / exit from ports. During this maneuver, due to the major ones evolutionary capabilities, these nautical vessels must maintain starboard sailing at safe speeds, and they must obligatorily give priority to all other units in transit;

d) maximum 10 (ten) knots to navigate in the stretch of sea between 500 meters (during the summer bathing season) or 300 meters (during the remainder of the year) and 1,000 meters from it costs.

#### Art. 17 - (Rescue vehicles and safety equipment)

1. Drivers of jet skis and similar units and persons on board must permanently wear an approved individual life belt, regardless of the distance from the coast where the navigation is carried out.

2. The aforementioned units must also be equipped with the following safety equipment:

a) a floating line suitable for recovery and towing;

b) pump or other means of exhaustion;

c) no. 1 type 13 B fire extinguisher.

3. The nautical vehicles in question must necessarily be equipped with an automatic return accelerator, as well as a device on the ignition circuit to ensure that the engine stops in the event of the driver falling. The

aforementioned device must be installed on the vessel in a clearly visible way as well as its coupling to the conductor. Units equipped with self-circling (steering lock with automatic return) are exempt from this precaution.

4. In addition to these devices, the companies that rent the watercraft must equip the means provided with a remote shutdown device to be used in the event that the driver does not observe the navigation limits, or in any case, proceed in such a way as to compromise the safety of navigation and / or bathing in general.

5. The number of people transported, including the conductor, cannot exceed that established by related homologation certificate, which must be present on board in original or authenticated copy.

#### Art. 18 - (Departure, landing and driving)

1. During the summer bathing season, the departure and landing of jet skis / jet skis and similar vehicles must take place from the ports, observing the requirements of art. 15, paragraph 1 letter. a), or only through launch corridors, prepared for this purpose by authorized dealers.

2. Navigation within the aforementioned corridors must occur, as far as possible, in the center of the lane and at a minimum speed that ensures control and, in any case, not exceeding 3 knots.

3. Parking and mooring inside the launch corridors are prohibited.

4. During navigation, the conductor of jet skis / jet skis and similar vehicles and any passengers must avoid compromising the stability of the vehicle with any dangerous behavior, also avoiding assuming incorrect driving positions.

#### Art. 19 - (Stop and deposit)

1. Without prejudice to the provisions issued by the Autonomous Region of Sardinia regarding the use of public maritime property, on the shoreline and on the beaches falling on the shoreline of jurisdiction is prohibited:

a) deposit jet skis / jet skis and similar, during the summer bathing season both in daytime and nighttime hours outside the specific areas designated for this purpose by means of a special authorization / concession of the competent bodies;

b) during the summer bathing season, hauling / launching outside the appropriate slides existing at ports, landings and facilities for assistance to recreational boating;

c) keep fuel of any type in storage, in any container, or carry out supplies of the nautical means in question;

d) carry out maintenance or washing works on the aforementioned vessels with detergents or other products

pollutants;

e) towing jet skis to the shoreline and beaches with the help of trolleys pushed by vehicles mechanics (cars, tractors, etc.).

#### Art. 20 (Reference to federal legislation)

Without prejudice to the provisions of the previous articles, in the management of the vehicles and in the choice additional safety equipment (eg protective helmet) may be adopted or suggested precautions and indications contained in the reference standards dictated by the sports federations national.

#### Art. 21 - (Underwater jet skis)

1. Underwater jet ski is any aquatic propeller with variable attitude propeller, designed for carrying out underwater excursions, swimming and snorkeling.

2. The use of underwater jet skis is subject to compliance with the following conditions:

a) navigation is allowed only during the day and in the presence of weather conditions favorable marinas, within 1 mile from the coast or even at a greater distance as long as in a radius of 50 meters from a duly marked support unit;

b) the tenant must be at least 16 years of age without prejudice to any other indication provided by the manufacturer limited to the age suitable for use;

c) the underwater jet ski operator must always be specifically reported in surface, in analogy to the provisions for underwater activities, with a float with a flag red and white diagonal stripe, equipped with a rope with a maximum length of 50 meters;

d) the user is obliged to observe all the provisions set out in the instruction booklet prepared by the person who markets the equipment.

3. During the entire calendar year, similar to what is established for underwater activities, it is forbidden to navigate and use underwater jet skis:

a) at a distance of less than 200 meters from fixed fishing facilities;

b) at a distance of less than 500 meters from merchant ships and military ships of any nationality also anchored outside the ports;

c) in sea areas of regular transit of ships for exit and entry into ports and anchorages;

d) inside the ports and at a distance of less than 100 meters from the relevant breakwaters, or a distance less than 500 meters from the entrance.

e) in the stretches of sea in front of cliffs or steep coasts subject to specific trade union ordinances of disqualification for reasons of public safety;

f) in the sea areas closed to bathing;

g) in the sea areas prohibited by a specific ordinance of the Head of the District;

h) in the strip of sea reserved for bathing as defined by the Safety Ordinance

bathing in force;

i) in the specific prohibited areas within the Marine Protected Area "Capo Caccia - Isola Piana.

4. To reach the area where the vehicle in question can be used, the operator can use a support unit or, if the departure takes place from the shore, he can pass through the strip reserved for bathing, in an area free from swimmers, to the minimum speed allowed (maximum 2 knots) and as much perpendicular to the coast as possible.

Art. 22 - (JetLev Flyer, Flyboard and similar devices)

1. Requirements for conduct

a) The minimum age for use is 18 years.

b) Possession of a valid nautical license, except in the case in which on board the motorcycle of water or the support boat there is a companion in possession of the title. In such it is not necessary for the user to have a nautical license.

2. Limits of use and navigation prohibitions

a) The use of the devices is allowed only during the day and in favorable weather and sea conditions and insured;

b) The activity must be carried out in an area free from other surface and underwater activities, to one distance from the coast of at least 300 meters, well signposted and with adequate depth for use in equipment safety;

c) During the summer bathing season, crossing the sea strip as a priority reserved for bathing q allowed through the launch corridors. Every must be used expedient suggested by the technical-nautical report in order to avoid accidents.

d) After the summer bathing season, where there is no launch corridor, shore departure and the return to land can only take place in water free from swimmers until reaching the minimum distance from the coast allowed and using every precaution suggested by the expert opinion technical-nautical in order to avoid accidents.

e) In any case, the maximum limit of use in height is 10 meters from the water surface;

f) It is forbidden to use these equipment at a distance greater than one mile from the coast or one mile from the parent unit, in the event that it is subservient to a pleasure craft;

g) It is forbidden to use this equipment at a distance of less than 500 meters from the units

merchant and military even if at anchor, 100 meters from the floats or units that signal the presence of divers as well as from fishing signals, from sea fishing facilities or from any installation fixed or anchored to the seabed;

h) it is forbidden to carry out the activity referred to in this Chapter inside the ports, near their entrances (200 meters from the port of Alghero and 100 meters from that of Fertilia), crossing ie following the access routes for entry and exit from the ports themselves.

i) Units in transit in the sea area where a JetLev Flyer or Flyboard operates must keep at a safe distance such as to guarantee, at all times, the possibility of maneuver safely without interfering with the aforementioned vehicles;

j) It is mandatory for the user and the operator to observe all the provisions set out in the booklet instructions prepared by the person who markets the equipment, with particular reference to individual protection devices;

k) It is mandatory for the user to wear suitable buoyancy aid, compatible with the characteristics of the equipment;

l) It is forbidden to use these equipment within the "Capo Caccia - Marine Protected Area - Isola Piana.

## CHAPTER V

### RULES OF USE AND CIRCULATION OF SAILBOARDS - WINDSURF - AND SIMILAR Art. 23 - (Limits and prohibitions of navigation)

1. Without prejudice to the provisions of its own Bathing Safety Ordinance and that relating to distance limits from the coast in the Porto Torres Maritime Compartment, windsurfing boards and similar means are prohibited from sailing:

a) within the ports of the Maritime District, at a distance of less than 500 meters

from the entrance and along the access routes to them;

b) in the stretches of water prohibited for navigation;

c) from sunset to sunrise and in marine weather and visibility conditions that do not recommend its use in consideration of the return to earth maneuver;

d) during the summer bathing season within 200 meters from the coast;

e) at distances from the coast greater than one nautical mile (1,852 meters), except in cases of events organized, to be regulated if necessary;

f) in areas intended for anchoring ships and at a distance of less than 500 meters from merchant ships or military at anchor;

g) less than 100 meters from floats or units that signal the presence of divers in immersion;

h) at a distance of less than 200 meters from fixed plants, gill nets and plants of aquaculture.

i) in the specific prohibited areas within the "Capo Caccia - Isola Piana" Marine Protected Area.

### Art. 24 - (Launch corridors)

1. During the summer bathing season, the departure and landing of the sailboards and similar means to reach the sea area where the activity is possible, is allowed only and exclusively by means of special launch corridors or, failing that, following routes perpendicular to the coast with a sail lowered in stretches of water characterized by the absence of swimmers;

2. The launch corridor cannot be occupied by more than two conductors at the same time, one of which is departing and one is landing;

#### Art. 25 - (Requirements for conduct)

1. For the conduct of the sailboards it is necessary to have completed the fourteenth year of age. This limit is reduced to eight years in the cases provided for by art. 39, paragraph 4 of Legislative Decree 171/2005, i.e. for participation in the educational activity carried out by the starter schools in nautical sports managed by the national federations and the Italian Naval League, in the respective training and competitive activities, provided that the activities themselves are carried out under the responsibility of the schools and that the participants are covered by civil liability insurance for damage caused to people on board and to third parties. In any case, the provisions relating to liability that may involve persons who have not reached the age of majority are understood to be without prejudice. In any case, these schools must use only authorized launch corridors for the departure and landing of the vehicles.

#### Art. 26 - (Safety equipment)

1. The operator of the sailboards and similar units must permanently wear an approved individual device or suitable life suit to ensure their buoyancy, regardless of the distance from the coast where the navigation is carried out. The sailboard can be used by one person only, unless otherwise approved / certified by the same, to be shown at the request of the supervisory bodies.

2. The persons who carry out this activity, or the natural / legal persons who carry out activities of location / school, will be held directly responsible for the efficiency and safety of the vehicles used.

#### Art. 27 - (Parking and storage)

Inside the launch corridors, parking and mooring of any unit are prohibited, as well as the storage of equipment dedicated to water sports. The stretches of beach in front of the aforementioned corridors, with the exception of the first 5 meters. shoreline, may be temporarily occupied, only during the day, by the sports equipment necessary for private use and only for the time necessary for its preparation, use and disarming.

### CHAPTER VI

#### DISCIPLINE OF THE USE OF BOARDS WITH A KITE - KITESURF

#### Art. 28 - (Kite Zone)

1. In order to ensure adequate protection of the safety of both kitesurfing sportsmen and swimmers, along the coastal strip falling within the Maritime District of Alghero IT IS FORBIDDEN to approach kitesurfing outside the maritime state-owned areas. specifically dedicated (by concession / determines / authorization of the competent body) called "KITE ZONE", divided into a land area and a sea area;

2. In the KITE ZONE access to swimmers and outsiders to the sporting activity covered by this Chapter is prohibited.

3. The ground area must be at least 40 meters wide. or of a width corresponding to the base of the launch corridor;

4. The sea area, extended for at least 200 meters. from the coast and having the base in correspondence with the land area, q constituted by a launch corridor having a width, at the base, of at least 40 meters. and, offshore, at least 80 meters; any activity other than kitesurfing is prohibited within this area.

5. The delimitation of the launch corridor must be carried out by positioning orange colored buoys with a minimum diameter of cm. 50; the last 2 sea-side buoys will have a larger size in order to identify the entrance and must bear the words "ATTENTION - AREA RESERVED FOR KITESURF ACTIVITIES" "WARNING - KITE ZONE ONLY";

6. These buoys, placed at a maximum distance of 20 meters from each other, will be crowned on the sea side

by a larger buoy to signal the beginning of the area. Given the peculiarity of

execution of the sport in question it is required that the buoys are not joined together by sheared cables,



but that only the relative dead bodies are connected to each other on the bottom by means of a non-floating rope or catenary.

7. Outside the launch corridor, beyond the 200 meter strip from the coast, no right of way particular granted to kitesurfing sports practitioners, as the rules of precedence established by national and international legislation for the prevention of boarding at sea.

8. The use of these launch corridors is only allowed to kitesurfers and assistance boats to them.

9. At the start, the kites will be able to carry out the operations to stretch the lines and attach them to the wing; to the return, kites will be able to wrap the lines to the bar. In this area, delimited by special signs, it is forbidden to fly the wing, except in the case in which the kiter is preparing to launch, positioning it at zenith.

10. For the purposes of navigation safety and the protection of public safety, the concessionaire / coastal municipality that intends to dedicate an area to kitesurfing must:

- a) ensure the positioning and perfect maintenance of the buoys delimiting the launch corridor;
- b) take care of the positioning and the perfect maintenance of a suitable number of signs - of material weatherproof - at least in Italian and English with the following words:

"ATTENTION - AREA RESERVED FOR KITESURF ACTIVITIES"

- c) display a copy of this ordinance in a clearly visible place to the public;
- d) immediately inform the Maritime Authority of the occurrence of any circumstances that constitutes a danger to people, both on land and at sea, through the emergency number national free 1530.

#### Art. 29 - (Navigation limits and prohibitions)

1. Without prejudice to the provisions of its current Bathing Safety Ordinance and the one regarding distance limits from the coast in the Porto Torres Maritime Compartment, kitesurfing boards are prohibited from sailing:

- a) within the ports of the Maritime District of Alghero;
- b) within 500 meters of the entrance to the ports of the Maritime District of Alghero;
- c) without having a free space downwind equal to double the maximum length of the cables e the footprint of the kite;
- d) during the summer bathing season within 200 meters from the coast, a limit both for the table and for the kite in traction;
- e) in the stretches of water prohibited for navigation;
- f) from sunset to sunrise and in marine weather conditions not recommended for the activity in question and unfavourable visibility, also in consideration of the necessary maneuvers to be implemented for the return a land;
- g) at distances from the coast greater than one nautical mile (1,852 meters), except in cases of events organized, to be regulated if necessary;
- h) in areas intended for anchoring ships and at a distance of less than 500 meters from merchant ships or military even at anchor;
- i) less than 100 meters from floats or units that signal the presence of divers in immersion;
- j) near the mouths of rivers, canals and collectors of any kind;
- k) at a distance of less than 200 meters from fixed installations, gill nets and installations of aquaculture.
- l) in the specific prohibited areas within the "Capo Caccia - Isola Piana Protected Marine Area.

#### Art. 30 - (Technical use of kite boards - kitesurfing)

1. The use of kite boards (kitesurfing) is prohibited for children under the age of 16.

2. Before using the kitesurf it is necessary:

- a) have a suitable tool to cut the lines in an emergency;

- b) make sure the kitesurf is equipped with an emergency quick release system;
3. For the use of the kite boards it is mandatory:
- a) wear an individual life-saving device (life belt, floating harness and / or flotation suit - the use of a helmet is recommended);
- b) attach the tie or safety line between the kitesurf and the pilot;
- c) connect the lines (so-called lines) only when you are close to take-off, and make sure they are disconnected after landing.
4. It is forbidden to leave the kitesurf unattended without having disconnected at least one side of the wing and completely rewound the cables on the control bar.
5. It is also forbidden to use kitesurfing boards not equipped with a safety device that allows opening of the wing and the consequent foiling of the same, while keeping it bound to the person.
6. For two-line control bar kitesurfing, the safety device can consist of a water-ski-type quick release device on one of the two lines; on the other hand, the with holding of safety, bound to the person, must have a length such as to allow the wing to unfold.
7. For kitesurfing with four-line control bar, the safety device may consist of a water-ski-type quick release device on the de-power (safety restraint tied to the person of such length as to allow the wing to unfasten) .

#### Art. 31 - (Rules of the launch corridor)

1. In the launch corridor referred to in Article 28 above, bathing, fishing, transit and anchoring of motor or sailing units are prohibited, except for those intended for rescue or assistance in this type of activity. It is also forbidden to moor any unit in the delimitation buoys.
2. Entry, transit and exit from the corridor must be carried out without making changes.
3. In the launch corridor, priority is reserved for kites returning from the sea, approaching the shore.
4. In addition, during the return phases, the wing must always be pulled down at a distance from the shore to ensure that it falls into the water, before the low tide line. In case of exit from the area due to a fall, error or leeway, the kiter will have to knock down the wing and exit the area reserved for bathing without delay without creating hindrance or danger to swimmers.

#### Art.32 - (Final provisions)

For anything not expressly regulated in this provision, the practice of kitesurfing is subject to compliance with the general rules of the bathing safety ordinance.

## CHAPTER VII

### RULES FOR THE USE OF SURFACE-SUSPENDED BOARDS (SURF, BODYSURF AND SIMILAR)

#### Art. 33 - (Requirements for conduct)

1. For the management of the board driven by wave motion, in analogy to the provisions of Article 39, paragraph 4, of Legislative Decree 18 July 2005, no. 171, regardless of the age requirements for participation in the educational activity carried out by sports clubs, schools, nautical associations, sports clubs, associations (including non-profit or non-profit organizations), corporate or individual enterprises indifferently in favor of its associates or on behalf of third parties.
2. The legal provisions regarding the responsibilities relating to minors remain valid eighteen.

#### Art. 34 - (Limits and prohibitions of navigation)

1. Without prejudice to the provisions of its current Bathing Safety Ordinance and the one concerning distance limits from the coast in the Porto Torres Maritime Compartment, surfers, bodyboards and the like are prohibited from surfing:

- a) within the ports of the Maritime District of Alghero, at a distance of less than 500 meters from the entrance and along the access routes to them;
- b) in the stretches of water forbidden to navigation for health and hygiene reasons;
- c) during the summer bathing season within the strip of sea reserved for bathing;
- d) from sunset to sunrise and in adverse weather and sea conditions and visibility due to the activity turning;
- e) at distances from the coast greater than 1000 (one thousand) meters if in recreational activity in the presence of waves that justifies its use at such a distance, except in cases of organized events, by regulate if necessary;
- f) in areas intended for anchoring ships and at a distance of less than 500 meters from merchant ships or military even at anchor;
- g) less than 100 meters from floats or units that signal the presence of divers in immersion;
- h) less than 200 meters from fixed installations, gill nets and aquaculture facilities.
- i) in the specific prohibited areas within the "Capo Caccia - Isola Piana" Marine Protected Area.

2. The navigation limits / prohibitions referred to in paragraph 1, expire within the stretches of water allowed in maritime state property transfer for the exclusive use of the sporting activities in question. These areas must be suitably delimited and indicated in an easily recognizable manner by means of buoys and signs from which it is clear that within the areas in question it is forbidden, for safety reasons any nautical bathing activity other than the one in question.

## CHAPTER VIII

### RULES FOR THE USE OF OWL BOARDS CALLED SUP (STAND UP PADDLE) OR SIMILAR.

#### Art. 35 - (Limitations and prohibitions)

1. The use of SUPs is subject, in addition to the requirements set out in Chapter II of this regulation, also to the provisions of the current regulations in force relating to pleasure boating.
2. The use of SUPs can only be carried out during the day, with guaranteed marine weather conditions. The aforementioned units are strictly prohibited from navigating:
  - a) within the ports of the Maritime District of Alghero, at a distance of less than 500 meters from the entrance and along the access routes to them;
  - b) in the stretches of water forbidden to navigation for sanitary reasons;
  - c) less than 100 meters from the floats or units that signal the presence of divers in immersion;
  - d) at distances from the coast greater than 1000 (one thousand) meters;
  - e) in areas intended for anchoring ships and at a distance of less than 500 meters from merchant ships or military even at anchor;
  - f) less than 200 meters from fixed installations, gill nets and aquaculture facilities;
  - g) in the specific prohibited areas within the Marine Protected Area "Capo Caccia - Isola Piana.

#### Art. 36 - (Requirements for conduct)

1. The minimum age for rowing boards (SUP) is 14 years old, or 8 years old if assisted by instructors.
2. It is mandatory for the user of the SUP board to wear suitable buoyancy aid, compatible with the characteristics of the equipment, if navigating outside the area reserved for bathing.
3. Surfing with a SUP board within the sea area intended for bathing can only take place if the device used is made of plastic and soft material, with a rounded bow tip.

4. The driver of the SUP board must pay the utmost attention to the presence of swimmers, keeping a safe distance of no less than 5 meters from them, and in any case interrupting navigation if the sea and wind conditions do not allow him to maneuver in full safety the device.

5. Surfing with a SUP board within the sea area reserved for bathing must take place with minimum speed, and in any case compatibly with the presence of obstacles or swimmers in water.

#### Art. 37 - (Departure and landing)

1. Departure and landing can take place at any point on the coast of jurisdiction, accessible in maximum safety, with the exclusion of areas where there are explicit prohibitions under other measures.

2. Departure and landing can also take place on board boats, boats and pleasure boats at anchor provided that the rules of this Chapter and navigation with SUP boards are respected takes place at a distance of no more than 100 meters from the units carrying them.

#### Art. 38 - (Rules for preventing collisions at sea)

The SUP, as a suitable means to be used as a means of transport on water, falls within the field of application of COLREG 72, and therefore navigation must take place according to what prescribed by this regulation.

## CHAPTER IX DISCIPLINE OF WATER SKI

#### Art. 39 - (Postponement)

1. The exercise of water skiing is governed by the Ministerial Decree of 26.01.1960, as amended by Ministerial Decree of 15.07.1974 of the then Ministry of Merchant Marine, which is expressed referral.

#### Art. 40 - (Limits and prohibitions of navigation)

1. Without prejudice to the provisions of its current Bathing Safety Ordinance and that relating to distance limits from the coast in the Porto Torres Maritime Department, it is forbidden to sail for the units used in the exercise of water skiing:

- a) within the ports of the Maritime District of Alghero, at a distance of less than 500 meters from the entrance and along the access routes to them;
- b) at a distance of less than 500 meters from the coast and greater than 3 nautical miles from the coast;
- c) in the stretches of water forbidden to navigation for sanitary reasons;
- d) from sunset to sunrise and in adverse weather and sea conditions and visibility;
- e) in areas intended for anchoring ships and at a distance of less than 500 meters from merchant ships or military even at anchor;
- f) less than 100 meters from the floats or units that signal the presence of divers in immersion;
- g) at a distance of less than 200 meters from fixed plants, gill nets and plants of aquaculture.
- h) within the "Capo Caccia - Isola Piana" marine protected area.

#### Art. 41 - (Safety requirements and rules of conduct)

1. The exercise of water skiing must be carried out under the observance of the following conditions e requirements:

- a) the conductor of the towing boat must be in possession of a regular nautical license obtained for at least 2 years, according to the qualifications provided for by the legislation in force and regardless of the power of the engine installed on board;

- b) the conductor must always be assisted by a person with an assistant license bathers issued by a recognized organization or association;
- c) the skier must be at least 14 years of age;
- d) during the performance of the nautical activity in question, the skier is obliged to wear a life belt (life jacket) of a type compliant with current legislation or other device recognized as suitable in compliance with the regulations in force;
- e) the towing unit must be equipped with a suitable approved coupling and trailer system, as well as of large convex rearview mirror. It must also be equipped with a device for reversing the gear and putting the engine in neutral, as well as radioelectric instruments (apparatus VHF / FM approved and / or mobile phone) to allow any communications of assistance / rescue;
- f) each unit may only tow one person at a time and may not simultaneously carry out other activities (e.g. fishing, etc.);
- g) the towing unit must be equipped with all the safety equipment required and, regardless of the distance from the coast, of a gaffa, of a first aid kit of approved type and a lifebuoy ready for use, equipped with a floating line of length not less than 20 meters;
- h) during the various phases of the exercise, the distance between the vehicle and the nautical skier must never be less than 12 meters;
- i) the lateral safety distance between a boat towing a skier and the other boats must be higher than that of the tow cable;
- j) the driving unit must have an insurance policy that expressly contemplates the activities in question and provides for suitable coverage for civil liability towards third parties;
- k) q it is forbidden for any pleasure craft to follow other vessels intent on the activities in question wake or at a distance less than safe, or cross the wake at speed and a distance such as to be able to run over the skier, in the event of the latter falling;
- l) the people who carry out this activity, even for profit, will be held responsible the efficiency and safety of the vehicles used for any resulting damage to persons or property from the exercise of these activities;
- m) during the summer bathing season, they must be used for departure and arrival at the coast special launch corridors, suitably prepared by the maritime state concessionaires, with the modalities established in the bathing safety ordinance in force;
- n) the departure and recovery of the nautical skier must take place only in the free waters bathers and from units and, in any case, over 500 meters from the coast.

#### Art. 42 - (Type of business)

##### 1. Water skiing can be done:

- a) on their own / private account;
- b) from sports clubs, bathing establishments, water skiing schools and other nautical associations;
- c) by motorboats and boats hired to the public.

2. The exercise of water skiing on behalf of third parties in maritime waters must only be exercised with motorized pleasure craft with authorization issued pursuant to articles 9, 10 and 11 of the Ministerial Decree 26.01.1960. The service must be managed under the personal responsibility of the holder of the authorization, who can entrust its operation to his employees.

3. Sports clubs, bathing establishments, water-skiing schools and other nautical associations that intend to build ski fields, launch corridors, jumping trampolines, slalom equipment, etc., must first equip themselves with the appropriate maritime state-owned concession issued by the competent bodies, subject to the opinion of this Maritime Authority.

4. In any case, these facilities cannot be located along the access routes to the ports and their mouths, in the sea canals of low draft and width and in the sea areas used or signaled for the decline of fishing nets and the cultivation of edible molluscs and, in any case, without the binding opinion of this Maritime Authority.

## CHAPTER X

### RULES OF ASCENSIONAL PARACHUTISM AT SEA Art. 43 - (Postponement)

1. The discipline of water skiing, contained in the Ministerial Decree of 26.01.1960, as amended by the Ministerial Decree of 15.07.1974 of the then Ministry of the Merchant Marine, also applies to parasailing as an assimilable activity, as established by the current ministerial circulars in matter.

2. The aforementioned activity is also subject to the rules concerning the regulation of air traffic. Art. 44 - (Limits and prohibitions of navigation)

1. Without prejudice to the provisions of its current Bathing Safety Ordinance and that relating to distance limits from the coast in the Porto Torres Maritime Department, the units used in the exercise of parasailing are prohibited from sailing:

- a) within the ports of the Maritime District of Alghero and along the access routes to them;
- b) at a distance of less than 500 meters from the beaches and more than 3 nautical miles from the coast;
- c) in the stretches of water forbidden to navigation for sanitary reasons;
- d) within a radius of 500 meters from the entrance to the ports of the Maritime District of Alghero;
- e) from sunset to sunrise and in adverse weather and sea conditions and visibility;
- f) in areas intended for anchoring ships and at a distance of less than 500 meters from merchant ships or military even at anchor;
- g) less than 100 meters from floats or units that signal the presence of divers in immersion;
- h) at a distance of less than 200 meters from fixed plants, gill nets and plants of aquaculture;
- i) within the "Capo Caccia - Isola Piana" marine protected area.

### Art. 45 - (Safety requirements and rules of conduct)

1. The exercise of parasailing must be carried out under the observance of the following conditions and requirements:

a) the conductor of the towing boat must be in possession of a regular nautical license obtained for at least 2 years, according to the qualifications provided for by the legislation in force and regardless of the power of the engine installed on board.

b) the conductor must always be assisted by a person with an assistant license bathers issued by a recognized organization or association;

c) the towed person must be at least 14 years of age;

d) during the performance of the nautical activity in question, the towed person is obliged to wear a life belt (life jacket) of the type in force legislation or other device recognized as suitable in compliance with the standards in force;

e) the towing unit must be equipped with a suitable approved coupling and trailer system, as well as of large convex rearview mirror. It must also be equipped with a device for reversing the gear and putting the engine in neutral, as well as radioelectric instruments (apparatus

VHF / FM approved and / or mobile phone) to allow any communications of assistance / rescue;

f) each unit may only tow a maximum two-seater parachute and may not simultaneously carry out other activities (eg fishing, etc.);

g) the parachute harness must be equipped with a release mechanism that allows immediate release of the towed vehicle in case of need;

h) the parachute must be recognized as suitable by the competent technical bodies;

- i) the driving unit must be equipped with all the safety equipment provided and independently distance from the coast, a gaffa, an approved first aid kit and a lifebuoy ready for use for every skydiver, equipped with a floating line of length not less than 20 meters;
- j) the towing unit must be equipped with an aft platform integral with the unit itself and a winch, which must also be able to take off and attach to the aforementioned aft platform the paratrooper;
- k) during the various phases of the exercise, the distance between the towing vehicle and the person must never be less than 12 meters, except in the take-off and landing phases, during which it must extreme care must be taken so that the skydiver does not fall into the water near the stern of the towing unit;
- l) the lateral safety distance between the towing unit and the other boats must be greater than size of the towed complex (sports cable - parachute) and, in any case, not less than 50 meters;
- m) the driving unit must be equipped with a special insurance policy that expressly contemplates the activities in question and provides for suitable coverage for civil liability towards third parties and for damages eventually suffered by the practitioners of the parasailing;
- n) it is forbidden for any pleasure craft to follow other vessels intent on the activities in question in the wake or at a distance less than the safe one, or crossing the trail at such speed and distance to be able to run over the towed person, in the event of the latter falling, as well as to navigate remotely not safety from the boats themselves;
- o) the people who carry out this activity, whether for profit or not, will be held responsible the efficiency and safety of the vehicles used for any resulting damage to persons or property from the exercise of these activities;
- p) during the summer bathing season, they must be used for departure and arrival at the coast special launch corridors, suitably prepared by the maritime state concessionaires, with the modalities established in the bathing safety ordinance in force;
- q) the take-off and recovery of the towed person must take place only in waters free from bathers and from units and, in any case, beyond 500 meters from the beaches;
- r) the parachute must not exceed the altitude of 120 feet (36.6 meters);
- s) it is forbidden to fly over any type of craft and gatherings of people, as well as the launch of flying objects or liquids;
- t) when two or more paratroopers are approaching the same area to make the landing, the paratrooper at a higher altitude must give priority to that a lower altitude;

#### Art. 46 - (Type of business)

##### 1. Parachuting can be performed:

- a) on their own / private account;
- b) from sports clubs, bathing establishments, water skiing schools and other nautical associations;
- c) by motorboats and boats hired to the public.

##### 2. The exercise of the activity carried out by schools also involves compliance with the following conditions:

- a) the stipulation of an insurance policy to cover any damage caused by the activity of school of parasailing;
- b) use of instructors qualified to teach the activity;
- c) use of auxiliary personnel in possession of a lifeguard license, issued by the Organization or recognized association.

## CHAPTER XI

### TRAILER FLOATS COMMONLY CALLED BANANA BOAT AND SIMILAR Art. 47 - (Postponement)

- 1. The discipline of water skiing, contained in the Ministerial Decree of 26.01.1960, as amended by the Ministerial Decree of 15.07.1974 of the then Ministry of Merchant Marine, applies to the activity of towing floats commonly referred to as banana boats and similar.

2. For the exercise of this activity for purposes other than private, the provisions contained in the previous article apply.

#### Art. 48 - (Limits and prohibitions of navigation)

1. Without prejudice to the provisions of its current Bathing Safety Ordinance and that in matter of distance limits from the coast in the Maritime Compartment of Porto Torres, to the units employed when towing floats commonly known as banana boats and similar, it is forbidden

to navigate:

- a) within the ports of the Maritime District of Alghero and along the access routes to them;
- b) within 500 meters of the entrance to the ports of the Maritime District of Alghero;
- c) at a distance of less than 500 meters from the beaches and more than 3 nautical miles from the coast;
- d) in the stretches of water prohibited to navigation for sanitary reasons;
- e) from sunset to sunrise and in adverse weather and sea conditions and visibility;
- f) in areas intended for anchoring ships and at a distance of less than 500 meters from merchant ships or military even at anchor;
- g) less than 100 meters from floats or units that signal the presence of divers in immersion;
- h) at a distance of less than 200 meters from fixed plants, gill nets and plants of aquaculture;
- i) within the "Capo Caccia - Isola Piana" marine protected area.

#### Art. 49 - (Safety requirements and rules of conduct)

1. The operation of the towing of floats commonly referred to as banana boats and similar must be carried out under the observance of the following conditions and requirements:

- a) the conductor of the towing boat must be in possession of a regular nautical license obtained for at least 2 years, according to the qualifications provided for by the legislation in force e regardless of the power of the engine installed on board;
- b) the conductor must always be assisted by a person with an assistant license bathers issued by a recognized organization or association;
- c) the towed person must be at least 14 years of age;
- d) during the performance of the nautical activity in question, the towed person is obliged to wear a life belt (life jacket) of the type in force legislation or other device recognized as suitable in compliance with the standards in force;
- e) the towing unit must be equipped with a suitable approved coupling and trailer system, as well as of large convex rearview mirror. It must also be equipped with a device for reversing the gear and putting the engine in neutral, equipped with radioelectric instruments (apparatus VHF / FM approved and / or mobile phone), as well as equipped with waterjet propulsion or a propeller protection system also considered suitable by notified bodies;
- f) each unit will be able to tow only one float and will not be able to carry out at the same time other activities (eg fishing, etc.);
- g) the towing unit must be equipped with all the safety equipment required and, regardless of the distance from the coast, of a gaffa, of a first aid kit of approved type and a ring life buoy ready for use for each skydiver, equipped with a floating line no less than 20 meters long;
- h) the passengers of the towed vessel must embark on the shoreline;
- i) during the various phases of the exercise, the distance between the towing vehicle and the person must never be less than 20 meters;
- j) the lateral safety distance between the towing unit and the other boats must be greater than total dimensions of the towed assembly (cable / float);
- k) the driving unit must be equipped with a specific insurance policy that expressly contemplates the activities in question and provides for suitable coverage for civil liability towards third parties transported / towed;



l) it is forbidden for any recreational craft to follow other vessels intent on the activities in question wake or at a distance less than safe, or cross the wake at speed and a distance such as to be able to overwhelm a towed person, in the event of the latter falling, as well as navigate at a non-safe distance from the boats themselves;

m) the people who carry out this activity, even for profit, will be held responsible the efficiency and safety of the vehicles used for any resulting damage to persons or property from the exercise of these activities;

n) during the summer bathing season, they must be used for departure and arrival at the coast special launch corridors, suitably prepared by the maritime state concessionaires, with the modalities established in the bathing safety ordinance in force;

o) the departure and recovery of the towed person must take place only in the waters free from bathers and from units and, in any case, over 500 meters from the coast;

p) in the presence of other units, navigation must be carried out by making less sudden turns possible, avoiding creating uncertainty about the real intentions of maneuver and, in any case, respecting the regulations in force to prevent collisions at sea.

## CHAPTER XII

### REGULATION OF UNDERWATER TOURIST-SPORTS ACTIVITIES

#### Art. 50 - (Application)

1. Without prejudice to the provisions of specific regulatory provisions regarding the discipline of the activity within the Capo Caccia - Isola Piana Protected Marine Area, the rules relating to these Regulations apply, if not conflicting, also within the aforementioned Protected sea area. The provisions contained in the following articles, insofar as they are strictly related to the safety profile, apply, as far as possible, also to non-profit associations.

#### Art. 51 - (Requirements for carrying out underwater activities)

1. Educational organizations / associations and diving centers having permanent establishment in territory of the European Union, which they intend to supply within the Maritime District of Alghero organized and guided diving services for tourism-sporting purposes using as a support unit

a pleasure craft, must be registered in the lists referred to in Regional Law no. 09/1999 on

26.02.1999, as amended by the Regional Law n. 20/2006 on 18.12.2006, referred to in the preamble, and in the registers kept at the territorially competent Chamber of Commerce (if applicable), as well as obtaining any authorization provision of competence of bodies or entities which the law recognizes, for various reasons, specific powers in the sectors directly or indirectly connected to the activity in question. The provisions contained in this paragraph do not apply to amateur sports associations or to non-profit associations.

2. In order to exercise the aforementioned activity within the Maritime District of Alghero, the companies / firms in question must submit a specific communication in double copy to the Maritime District Office of Alghero, as per the model in Annex 5.

3. The following documentation must be attached to the aforementioned communication, which may always be updated:

a) substitutive declaration made pursuant to D.P.R. 445/2000 (so-called self-certification), relative registration with the territorially competent Chamber of Commerce, with an indication of the underwater activities performed;

b) sports associations (amateur sports associations, non-profit associations) must

prove that they are registered in the CONI register, through its federations or through affiliation with a sports promotion body recognized by the Coni itself;

c) copy of the statute in force for sports associations (amateur sports associations, associations non-profit);

d) copy of an identity document, in regular course of validity, of the lawyer representative / attorney of the firm / company referred to;

- e) list of units used for diving, with an indication of their characteristics main ones (type, manufacturer, engine power and photo also in digital format of the vessel);
- f) indication of the operational headquarters of the business. If the place is not located within a port / landing, it must be specified whether a launch corridor is installed on site in accordance with dictates contained in the bathing safety ordinance in force;
- g) complete particulars of the captains / conductors of the pleasure craft. Such units will have to be conducted solely by the owner or by employees in possession of a nautical license, with mastery of the naval unit and of the places, also with regard to the ability to predict the changing weather and sea conditions;
- h) copy of the insurance policy, made out to the firm / company or to sports associations and individuals non-profit legal entities, valid for each individual vessel, guaranteeing all persons on board and civil liability towards third parties;
- i) copy of any certificate of approval / declaration of conformity;
- j) copy of the engine use certificate / power declaration.

4. For the exercise of this activity, no authorization will be issued by the Alghero Maritime District Office, which, having verified the requirements, will affix a visa on the communication referred to in the previous paragraphs, returning a copy to the interested party, which must be kept on board the unit and exhibited in case of control by the competent authorities.

5. Companies are required to notify this Maritime District Office of the cessation of activity within 15 days from its occurrence.

6. Annually, the owner / legal representative of the company / firm must submit a communication certifying the will to start / continue the activity for the reference year, providing the necessary documentation proving any changes that have occurred compared to the first communication provided to the Maritime Authority of Alghero. The presentation of the aforementioned communication must in any case take place at least 15 days before the first scheduled day of activity. If no communication is submitted in a specific calendar year, the applicant can still renew the will to continue the activity in the following year by submitting all the documentation required in point 3 above.

7. The use of state-owned areas aimed at the parking and mooring of pleasure craft q, in any case, subject to the acquisition of any suitable concession / authorization titles (for example registration pursuant to Article 68 of the Navigation Code) issued by the competent bodies.

Art. 52 - (Individual diving for tourist-sporting purposes and underwater activities for scientific or video-photographic or documentary purposes)

1. Individual dives for tourist-sporting purposes, as defined above, are not subject to any specific prior authorization, subject to compliance with the rules and prohibitions referred to in this Ordinance applicable to such dives and referred to in laws and regulations call back.

2. Without prejudice to the provisions regarding the discipline of scientific activity at sea for the purpose of safeguarding navigation safety, underwater activities for scientific or video-photographic or documentary purposes, as defined above, are not generally subject to any specific preventive authorization, without prejudice to compliance with the rules and prohibitions set out in this ordinance and in the legislative and regulatory provisions referred to; by way of exception, activities of this type of professional nature may also be authorized in areas or times ordinarily prohibited under this Ordinance and other regulations referred to, subject, in this case, to the positive outcome of the specific administrative procedure outlined below.

Art. 53 - (Sea areas prohibited for scuba diving)

1. In general, the exercise of all underwater activities is prohibited during the entire calendar year:

- a) at a distance of less than 200 meters from fixed fishing facilities and gillnets;
- b) distance of less than 500 meters from military and merchant ships of any nationality, even if anchored outside the ports;
- c) in sea areas of regular transit of ships for exit and entry into ports or for anchorages;
- d) inside the ports and at a distance of less than 100 meters from the relevant breakwaters or a 500 meters from the entrance;
- e) in the stretches of sea in front of cliffs or steep coasts subject to specific trade union ordinances of disqualification for reasons of public safety;
- f) in the specific prohibited areas within the "Capo Caccia - Isola Piana" Marine Protected Area;

g) in the sea areas closed to bathing;

h) in the sea areas prohibited by a specific ordinance of the Head of the District.

2. For carrying out scuba diving for scientific purposes or video-photographic-documentary at a professional level or, in any case, in areas and times ordinarily prohibited pursuant to of this Ordinance and the other regulations referred to, the interested party must submit a specific request indicating:

a) date, time and place of the dive;

b) the number of participants in the dive and the related patents held;

c) the names of any diving guides involved;

d) the identifying elements of any naval units used in support;

e) the means of communication (radio / cellular) available during the dive;

f) a brief illustration of the purpose of the dive and the technical methods with which it is will take place.

3. The Office, having completed the necessary investigation, adopts a specific authorization measure and issues, if deemed necessary in order to ensure the safety of navigation and the protection of human life at sea, a specific Maritime Police Ordinance.

#### Art. 54 - (General rules of conduct for the diver)

1. In general, in addition to what is specifically regulated to follow in this provision - except for specific needs in the field of diving for scientific or documentary purposes, from possibly subject to authorization procedure in derogation from case by case and except as provided for underwater fishing - anyone who intends to carry out underwater activities for tourist-sporting purposes, required to:

a) obtain information in advance about the environmental characteristics of the dive site;

b) not to damage or remove archaeological and geological finds;

c) do not anchor on bottoms hosting *Posidonia oceanica* meadows or other marine phanerogams on the coralligenous;

d) do not leave any type of material underwater or on the surface;

e) report to the Maritime Authority any presence of waste or hazardous materials, without attempting to remove them.

#### Art. 55 - (Reporting of scuba divers)

1. Every diver, whatever the purpose of the dive (organized, guided, didactic, individual), has the obligation to report when:

a) operate with self-contained breathing apparatus; is

b) is located outside the waters reserved for bathing.

2. Each diver, or group of divers, whatever the purpose of the dive (organized, guided, educational, individual), is obliged to adopt the signals prescribed by art. 91 of the D.M. 29 July 2008, n. 146 as well as by art. 130 of the D.P.R. 2 October 1968, n. 1639, which must therefore be understood as fully referred to herein; in particular:

- in daytime diving: float bearing a red flag with a white diagonal stripe,

visible at a distance of not less than 300 meters; if the diver is accompanied by a vehicle nautical support, the flag must be hoisted on the nautical vessel; in case of several divers in dive, only one signal is sufficient, but each diver must be equipped with at least one footboard or balloon with an inflatable surface, of a clearly visible colour and equipped with a line of at least five meters, to be used, before going back to the surface, in case of separation from the group;

- in night dives: on the surface: a yellow flashing light visible around the horizon at a distance of not less than 300 meters, to be applied to the float; underwater: every diver

while diving it must also have a light signal to be applied to the upper rear part of the body (nape or taps).

3. Each diver, or group of divers, must operate within a radius of 50 meters from the vertical of the support boat or from the float carrying the flag; if a diver, or group of divers, operates outside this distance, he must have his own independent signaling.

4. If the scuba diver is accompanied by a support boat, he must be on board present a person able to provide assistance with suitable means of communication for call for help to be used in case of need. If the dive is organized or guided or didactic, the staff on board must comply with the requirements for "persons able to provide assistance" as defined in Article 3 "definitions".

5. The foregoing provisions also apply to those who practice snorkeling outside the waters reserved for bathing. Also in this case, the organized, guided or educational snorkeling activities must comply with the requirements contained in the previous paragraph.

Art. 56 - (Discipline of non-professional underwater fishing - regulatory references)

1. Non-professional underwater fishing is regulated by articles 128 bis, 128 ter, 129, 130 and 131 of the D.P.R. 2 October 1968, No. 1639 and subsequent amendments, as well as by Article 6, paragraph 5, of Legislative Decree 9 January 2012, n. 4 and by the D.M. n. 249 of 01.06.1987 which must therefore be understood as fully referred to here. It also applies to reporting, as indicated in the previous art. 51, art. 91 of the D.M. 29 July 2008, n. 146.

2. Non-professional underwater fishing, in this Maritime District, is also subject to the following additional requirements:

a) during the summer bathing season, it is always forbidden in the waters in front of the beaches, in presence

of bathers, at a distance of less than 500 meters from the shore;

b) in the case of cliffs / coasts overlooking the sea, in the presence of even a single bather, during in the summer bathing season non-professional underwater fishing is prohibited at a distance of less than 100 meters from the coast;

c) it is forbidden to cross the areas frequented by swimmers with a loaded diving weapon;

3. Non-professional underwater fishing, within the perimeter of protected areas, is also regulated by the laws, by the respective implementing decrees and by other relevant regulatory standards in force.

Art. 57 - (Pursuit of organized underwater activities or aimed at obtaining patents)

1. In the waters of the Maritime District of Alghero, activities consisting in providing diving training services, organized dives, guided dives, guided snorkelling, only surface technical / logistic support for diving are subject to compliance by service providers, the obligations / prescriptions referred to in the following articles.

2. The mere rental of diving equipment remains governed by the general rules and responsibilities regarding the exercise of commercial activities and the provision of services, with the descendants and related contractual and extra-contractual responsibilities.

Art. 58 - (Rules for didactic diving and instructors)

1. The instructor in didactic diving must have a suitable license issued by one of the Federations / Associations, national or international, generally recognized and must operate within the limits imposed by your patent, assuming all civil and criminal liabilities associated with the activity turning point. Each instructor cannot simultaneously follow a number of underwater students during the dive

higher than that prescribed by the didactic rules and procedures adopted. In any case, if you work for the training of non-autonomous recreational divers, as defined in article 3, the relationship between i safety divers (dive guide) and pupils cannot exceed that of 1: 4 (in absence of diving guide the ratio 1: 4 also applies between instructor and students); if you operate in hours

at night or with poor visibility, the relationship between safety divers and students or between instructor and students cannot exceed 1: 2.

2. During the didactic dives, an experienced RCP instructor must be present at the place of departure. (cardiopulmonary resuscitation) or a doctor expert in hyperbaric medicine or in any case a person qualified for underwater first aid. The aforementioned dives must be carried out in guaranteed favorable weather and sea conditions and in sea areas that do not conflict with the provisions contained in this ordinance; the aforementioned dives must in any case take place in sheltered places and preferably little frequented by nautical vehicles.

3. Before the start of each educational dive, a specific communication according to the model in Annex 6 must be presented to this Maritime District Office, at least 48 in advance of the aforementioned dive.

Art. 59 - (Rules for diving centers)

1. In the case of diving centers that provide guide services in diving for recreational purposes, each guide, assuming all the responsibilities associated with the activity carried out, can each conduct a maximum of 6 divers underwater in all conditions.

2. The depth limits established by the license owned by the guided divers must be respected and, in the case of different patents, the limit is that represented by the minor one.

Art. 60 - (Support boat - Rescue vehicles and safety equipment)

1. The diver (s) diving, whether organized, guided or didactic, must always be accompanied by at least one nautical support vehicle outside the waters reserved for bathing.
2. The name of the subject carrying out the commercial activity and the numerical identification of the unit (progressive on two digits, as per the list of means attached to the communication referred to in Annex 4, followed by the letter "S") must be so as to be clearly legible to the naked eye at a distance of at least fifty meters, as well as resistant to atmospheric agents and restored in case of deterioration. The aforementioned provisions do not apply if a unit registered in the public registers kept by the Maritime Authority is used as a support unit. For amateur sports associations or non-profit associations, the identifier may be placed on a removable supposition and positioned in a clearly visible place during the dives.
3. The pleasure craft used as nautical means of support for the scuba diving performed by companies / sports clubs / associations / companies for the exercise of organized activities or for diving didactic, in addition to individual and collective rescue vehicles and safety equipment indicated in Annex V of the Ministerial Decree 29 July 2008 n. 146 (whose norms must be understood here in full referred to), must have on board the additional equipment required by art. 90 of the aforementioned Ministerial Decree,  
or:
  - a) a reserve cylinder of at least 10 liters for every five divers on board, containing gas breathable and equipped with two regulators and, in the event of a night dive, an underwater light stroboscopic;
  - b) in the case of dives that include mandatory decompression stops, in place of the reserve cylinder referred to in letter a), a decompression station is required. The station q equipped with a breathable gas supply system capable of ensuring the execution of the latest two decompression stops for each diver engaged in this type of dive;
  - c) a unit for the administration of oxygen with characteristics compliant with standard EN 14467;
  - d) a first aid kit compliant with the provisions of the Ministerial Decree 01.10.2015, and a mask insufflation, regardless of the navigation actually carried out;
  - e) a metric wave (VHF) transceiver apparatus, also portable, regardless of the navigation actually carried out.
4. The aforementioned nautical vehicles must also have on board:
  - a) an additional suitable means of communication that allows contacting the rescue centers of area (equipped with spare batteries or cable for recharging by means of on-board battery);
  - b) table showing the telephone numbers and radio listening frequencies of the main rescue centers local (Maritime Authorities, Hospitals and Health Centers);
  - c) megaphone and / or sound device designed to call the attention of any units in transit.
5. The nautical support units, during night diving activities for tourist and sporting purposes, must keep the lights on as prescribed by the current legislation on the subject (Regulations for preventing collisions at sea - COLREG 1972). This paragraph also applies in the case of individual dives, as defined above, if carried out with the support of a nautical vessel.
6. Within the protected areas, underwater tourism operators, for their activities, may only use nautical vessels of the type and power prescribed by the regulations governing the activities permitted therein.
7. The unit must in any case be equipped with any other authorization, if required by current regulations to operate in particular areas with limited use.
8. During the organized, guided or educational dive, the presence on board of a person capable of providing assistance as defined in Article 3 of this Ordinance is required. This person may or may not be an instructor or guide, but - in this case - he cannot dive as an "escort" in the water of the scuba divers if he is not first replaced on board the unit by another suitable person, as specified above.
9. This article applies in full even in the event that the service provider only provides the surface technical / logistic support service for diving.

Art. 61 - (Diving without nautical vessel support)

1. During the organized, guided and didactic dives, at the place of departure on land, which will have to

always be manned by personnel qualified for first aid and from which divers will not be able more than 100 (one hundred) meters away, the following minimum equipment must always be available safety:

- a) one cylinder of at least 10 liters for every five divers, containing breathable gas and equipped with two dispensers;
- b) a first aid kit compliant with table D of Annex 1 to the Decree of the Ministry of Health dated 01.10.2015 and an insufflation mask;
- c) a means of communication that allows contacting the rescue centers in the area;
- d) table showing the telephone numbers of the main local rescue centers (Maritime Authorities, Hospitals, Medical Guards, Hyperbaric Centers).

#### Art. 62 - (Obligations related to diving safety)

1. Providers of services related to diving activities, whether they are educational organizations, diving centers, instructors or diving guides, or the service provided for a fee or free of charge, must take out suitable insurance for the risks deriving to people (including instructors, guides, staff) from participation in the activities carried out.

2. This insurance is additional to and not a substitute for that prescribed by the provisions on the circulation of vessels, necessary to cover the civil liability deriving from the circulation of the nautical vehicles used to support diving.

3. Equipment owned, or in any case used by the service provider to be put available in favor of customers / associates / members, must be in accordance with the law, in excellent condition and

revised regularly, as well as, where required, with a valid test certificate.

4. For each dive site, the service provider, be it an educational organization, a dive center, an instructor or a dive guide, must perform a preventive "risk assessment" that includes and considers at least the following assumptions:

- a) tides and currents;
- b) nature and depth of the seabed and the presence of any obstacles (pipelines, conduits, wrecks, etc.);
- c) underwater visibility and possible sources of cloudiness (pollution, mucilage, etc.);
- d) methods of entering and exiting the water (also in relation to the characteristics of the nautical vessel of support, if any);
- e) presence and type of maritime traffic or fishing activities;
- f) level of preparation necessary for the participants to face the dive.

5. The service provider must ensure that the size of the group and the capacity of the members of the diving team at his disposal are appropriate to allow all diving activities to be carried out safely.

6. In the case of night dives, the service provider is obliged to submit a specific prior notification to this Alghero Maritime District Office according to the model in Annex 6, at least 24 hours before the aforementioned dive.

#### Art. 63 - (Communications to the dive participant)

1. In the case of dives for educational or organized or guided purposes, before the start of the dive the service provider, the instructor and / or the guide must communicate to the participating divers appropriate information relating to the dive to be made; in particular:

- a) location and physical characteristics of the site;
- b) itinerary that will be followed in the water;
- c) specific current and wave conditions;
- d) general dangers of diving (if necessary based on the level of experience of the divers participants) and those specific to the chosen site;
- e) living organisms that can meet and / or observe each other;
- f) the most appropriate methods and techniques for diving and exiting the water;
- g) the most basic manual signals for non-verbal communication to be used in case of need;
- h) particular behaviors to be held based on other current regulations;
- i) any other information that the service provider, instructor and / or guide deems useful and necessary for conducting the dive safely.

#### Art. 64 - (Registration obligations)

1. For each nautical unit used as a means of support for didactic, organized or guided dives, a summary sheet of the diving must be kept on board, as well as regularly and systematically filled out (in compliance with the facsimile in Annex 7 to this ordinance) containing:
  - a) the identification details of the vessel used for the activity;
  - b) number, age and names of participants in each individual dive;
  - c) the indication of the patents owned by them;
  - d) the names of the instructor (s) and / or dive guides;
  - e) the area of use;
  - f) the start and end time of the activity (at least approximate where possible);
  - g) name of the conductor and details of his nautical license.
2. The compilation of this form must be done before departure from the nautical base for the transfer trip to the chosen dive site. The collection of cards, which in its title page must contain the details of registration in rolls or registers, required by current regulations national / regional, educational organization, diving center, instructors and guides divers as well as the type of license held by the guides / instructors, must be made available of the Police Bodies whenever required or necessary in an emergency.
3. For shore dives without the support of a nautical vessel, the recording of the data referred to in this article must take place in the same manner as in points 1 and 2 above with the exception of the data referred to in letters a) and g) of point 1.

#### Art. 65 - (Final provisions)

Individuals who undertake individual dives, as defined in the introduction, must in any case comply with the provisions of articles 49, 50, 51 and 56, paragraph 5.

### CHAPTER XIII TRAILED SNORKELING

#### Art. 66 - (Safety requirements and rules of conduct)

1. The towed snorkelling activity is allowed during the day with guaranteed favorable marine weather conditions at a distance between 300 (three hundred) meters and 500 (five hundred) meters from the shore line and / or the coast.
2. The conductor of the pleasure boat used for towing must be at least 18 years old and in possession of a nautical license. He must be assisted by a person experienced in swimming whose job is also to supervise the towed swimmer. It is the responsibility of the owner of the activity or, failing that, of the conductor to ensure the presence on board of the person expert in swimming.
3. During towing, an adequate safety speed must be maintained based on an objective risk assessment by the driver of the towing unit.
4. The towing vessel must be equipped in addition to the safety equipment provided for in Article 54 and in Annex V of the Ministerial Decree 146/2008 and regardless of the distance from the coast, it must be equipped with the following devices:
  - a) suitable coupling and towing system (a coupling and towing system is considered suitable if it allows, in any towing condition, the quick release of the towing cable in case of emergency);
  - b) a large convex rear-view mirror recognized as suitable (the convex rear-view mirror considered suitable if it allows the driver of the driving unit to have a view of the person towed in any towing condition);
  - c) a device for reversing and putting the engine in "neutral";
  - d) a first aid kit compliant with the provisions of Table "D" attached to the Ministerial Decree 01.10.2015 of the Ministry of Health;
  - e) a gaffa;
  - f) a ready-to-use lifebuoy equipped with a floating line of no shorter length to 30 (thirty) meters;
  - g) an approved VHF device, also portable, for any assistance communications and / or rescue.
5. The unit engaged in the towing activity cannot carry out other activities at the same time.
6. the propulsion of the motor boat must be by water jet or with a caged propeller in such a way as to prevent contact of the propeller with the towed subject.
7. The distance between the towing boat and the towed person must never be less than 10 (ten) meters or more than 30 (thirty) meters during the operating phases.

8. On the towing unit, in addition to the driver and the person skilled in swimming, there can be a number of occupants who, added to the towed person, does not exceed the maximum limit of transportable people for said unit.
9. During the performance of the activity, the driving unit must display the signal referred to in Article 130 of Presidential Decree 1639/1968.
10. Each towing unit can tow one snorkeler at a time.
11. In areas frequented by swimmers or reserved for bathing, the crossing of the band reserved for bathing is allowed through the launch corridors at the minimum speed allowed for maneuvering with the hull in displacement and in any case not exceeding 3 (three) knots. The launch corridor cannot be occupied by more than one vehicle at a time. In addition, the tenant must use every precaution suggested by the nautical expert in order to avoid accidents;
12. Outside the summer bathing season, where there is no launch corridor, the towing unit the swimmer can carry out the start from the shore, the towing activity and the return only in open water by bathers or other units, using any technical-nautical expertise in order to avoid accidents.
13. The user is obliged to wear suitable buoyancy aid, compatible with the characteristics of the equipment.
14. It is mandatory for the user and the operator to observe all the provisions set out in the instruction booklet prepared by the person who markets the equipment, with particular reference to individual protective devices.
15. The service providers related to the activity must take out appropriate insurance for the risks arising from participation in the activities carried out by the participants.
16. This insurance is additional to and not a substitute for that prescribed by the provisions on the circulation of vessels, necessary to cover civil liability arising from the circulation of the nautical vehicles used to support the activity.

#### Art. 67 - (Limits and prohibitions of navigation)

1. Without prejudice to the provisions of its current Bathing Safety Ordinance and that relating to distance limits from the coast in the Porto Torres Maritime Compartment, the units used in the exercise of towed snorkeling are prohibited from navigating:
  - a) within the ports of the Maritime District of Alghero, at a distance of less than 500 meters from the entrance and along the access routes to them;
  - b) at a distance of less than 300 meters from the beaches and more than 500 meters from the coast;
  - c) in the stretches of water forbidden to navigation for sanitary reasons;
  - d) from sunset to sunrise and in adverse weather and sea conditions and visibility;
  - e) in areas intended for anchoring ships and at a distance of less than 500 meters from merchant ships or military even at anchor;
  - f) less than 100 meters from the floats or units that signal the presence of divers in immersion;
  - g) at a distance of less than 200 meters from fixed plants, gill nets and plants of aquaculture.
  - h) within the "Capo Caccia - Isola Piana" marine protected area.
  - i) it is also forbidden:
  - j) race at speed;
  - k) use breathing aids for the towed person;
  - l) use jet skis to carry out the activity referred to in this Chapter.
2. In order to prevent situations of danger or hindering navigation, it is forbidden to follow the towing units at a distance less than the minimum safe distance, on the wavy furrow left behind.
3. The aforementioned limits do not exempt the tenant from the obligation, suggested by the nautical report and taken into account of the technical-nautical characteristics of the vehicle he is driving, to keep at a distance of higher security due to any contingent circumstance. Navigation is conducted with diligence and caution such as not to compromise the safety of navigation and the safety of life human in the sea.
4. In the event of carrying out the activity within a stretch of water approved in concession by the competent Authority or during demonstration events, the exercise is regulated by a special Maritime Police Ordinance, also in derogation of the above prohibitions.



[...]

(Fines)

Violators of this Ordinance, as well as being civilly and criminally responsible for any damage caused to people, animals and / or things will be punished, if the fact does not constitutes, depending on the case, a different crime or administrative offense, pursuant to articles 1161, 1164, 1174, 1218 and 1231 of the Navigation Code, of the Legislative Decree 9 January 2012, n ° 4 or, in the case of violations committed with pleasure craft, pursuant to art. 53 and following of the Legislative Decree of 18 July 2005, n.171 and subsequent amendments and additions, as well as pursuant to any other relevant regulatory provision of the sector.

Alghero, 15.05.2020

IL COMANDANTE

T.V. (CP) Pierclaudio MOSCOGIURI

Documento informatico, firmato digitalmente ai sensi del testo unico D.P.R. 28 dicembre 2000 n. 445, D.Lgs. 7 marzo 2005 n. 82 e norme collegate.

Firmato Digitalmente da/Signed by: