

**REGULATIONS FOR MOORING IN THE BUOY FIELDS
LOCATED IN SAN FRUTTUOSO DI CAPODIMONTE AND PUNTA CHIAPPA DI CAMOGLI
WITHIN ZONES B AND C RESPECTIVELY
OF PORTOFINO MARINE PROTECTED AREA - YEAR 2024**

CdA Resolution No. 10 dated 20/03/2024

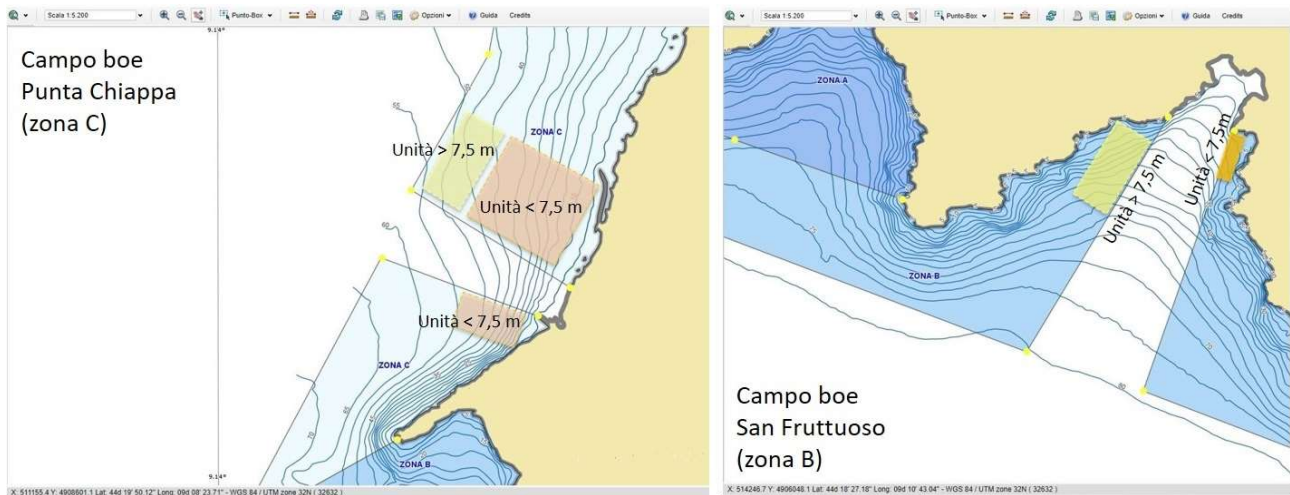
Title I - General provisions

Art. 1 - Purpose

1. These regulations refer to the buoy fields provided for in the Regulations of Execution and Organization (REO) of the Portofino Marine Protected Area (AMP Portofino) approved by Ministerial Decree of July 1, 2008, set up by the Managing Authority in the locations of Punta Chiappa (ZONE C) and San Fruttuoso di Capodimonte (ZONE B) and identified in Article 2 below.
2. The provisions contained in these regulations apply to all recreational units that, for whatever reason, make use of the buoy fields for the mooring of these units, subject to the authorization of the Portofino Marine Protected Area Managing Authority.

Art. 2 - General provisions

1. The provisions of these regulations constitute general rules of immediate application for the safe use of the buoy fields of Punta Chiappa di Camogli and San Fruttuoso di Capodimonte.
2. These regulations fully recall the provisions of Article 17 of the REO of the Portofino MPA.
3. The activity of mooring within the buoy fields referred to in the object is allowed only to authorized parties. The authorizations are issued upon payment of fees commensurate with the overall length (LOA) of the boat, the amounts of which were established by CdA Resolution No. 7 dated 29/02/2024, and attached to these Regulations (Annex A).
4. For the purposes of these Regulations, mooring buoy fields are understood to be divided into areas designated for mooring of units with an overall length (LOA) less than or equal to 7.5 m (orange color on the maps below) and areas designated for mooring of units with LOA between to 7.5 and 24 m (yellow color on the maps below). This identification is made necessary in order to ensure the proper use and safety of the buoy fields.



Article 3 - Provisions for the use of the Buoy Fields.

1. The buoy fields for the mooring of recreational units in AMP Portofino are usable, subject to the authorization of the Managing Authority, from April 25, 2024 to September 29, 2024. Official communication will be made on the website of the Entity on the number of available buoys and link for special authorization and buoy reservation system (mobile app).
2. During the period indicated in paragraph 1 above, the authorization to use the buoys in the 10-18 time slot is valid only in the presence of mandatory reservation to be made, through the aforementioned special mobile app developed by the managing entity. The use in the other time slots, however, remains intended for persons in possession of authorization issued by the managing entity.
3. The authorization is valid from the date of issue until 29/09/2024. The user, at the time of the request through the specific mobile app, can opt for the payment of a lump sum fee that will allow him to reserve the buoys during the period of validity of the authorization without further payments; alternatively, the user can pay the fees "on consumption" at the same time as the reservations without any initial payment (subject to the stamp duty of € 16 provided for all applications to the PA). The fees established for the current year can be found in Annex "A" to these Regulations. There is no provision for any reason not attributable to the MPA Managing Authority and/or the staff referred to in paragraph 8 below, for the reimbursement of the fees paid (by way of example only: waiver by the user, adverse marine weather conditions resulting in the closure of the buoy field).
4. No more than 2 reservations may be made per calendar day of the validity of the permit, regardless of the area chosen. It is understood that the time slots affected by two reservations for the same recreational unit are not overlapping.
5. A user who opts for the "pay-as-you-go" rate valid for three consecutive days must make individual reservations for each of the individual days identified.
6. Reservations can be made in advance of the chosen date as described below:

- the user opting for "pay-as-you-go" pricing may make reservations from 8 a.m. on the second day prior to the chosen date;
- the user opting for "lump-sum" pricing may make the reservation from 8 a.m. on the day before the chosen date;
- the user who opts for the "pay-as-you-go" fee valid for three consecutive days may make reservations for the days following the first, as early as 8 a.m. on the second day prior to the first of the three days of interest;
- each recreational unit rental company with and without a driver in possession of an authorization obtained upon payment of the lump-sum fee (ex Resolution No. 7 dated 29/02/2024) may make a reservation for one boat only, limited to the Punta Chiappa mooring field, from 8 a.m. of the third day prior to the chosen date.

7. Reservations are non-cancelable. It is also impossible to extend the time of stay at the berth; in case of availability, a new reservation may be made with validity subsequent to the first. Failure to comply with the end time of the berth is punishable under the current Regulations. Fees paid with respect to any unused reservations are in no way refundable.

8. During the period and time slot indicated in paragraphs 1. and 2. above, the buoy fields are manned by special personnel in charge of checking authorizations and reservations. This staff shall provide support and/or instructions for proper mooring procedures.

9. The personnel referred to in paragraph 8 above, may not receive in any way money related to the use of buoys. The MPA Managing Authority reserves the right, if deemed necessary, to equip the personnel manning the buoy fields with their own POS devices.

10. The Portofino Marine Protected Area Management Consortium is not responsible for organizing the shore landing service. In order to ensure safety within the mooring field and the environmental protection of the area, any parties interested in providing this service must request specific authorization from the MPA Managing Authority.

11. Any subjects carrying out the service of disembarking users of the buoy fields are in no way traceable to the MPA Managing Authority and consequently to the management of the moorings. To this end, said subjects are prohibited from using the logo of the Portofino MPA. Said subjects are also expressly forbidden to ask users for sums of money related to the stay at the mooring.

12. Given the limited availability of buoys, the user is obliged to strictly observe the reservation time. In the event that the user does not show up at the mooring, the reservation shall lapse after 120 (one hundred and twenty) minutes from the time indicated as the start of the stay, making the buoy available for reservation by other users. The forfeiture of the reservation shall not result in any right to reimbursement from the MPA Managing Authority.

13. If the buoy is abandoned earlier than the time indicated in the reservation, the reservation will automatically lose its validity and the buoy will again be available for reservation by other users.

14. Vessels with an overall length greater than 10 mt that intend to use the buoy field moorings shall notify by radio, on VHF working channel 69, of their intention and wait outside the mooring

area until they have been given the go-ahead and assistance from the staff in charge (after checking availability or reservation).

15. Mooring and unmooring operations shall always be carried out at minimum speed, with the assistance of the attendants of each buoy field and in a manner consistent with the need to ensure the safety of navigation and the operations themselves.

16. In any case, the master of the unit shall be responsible for mooring and unmooring operations, as well as for the efficiency and adequacy of ropes and cables on board used for such operations, and shall be liable, if necessary, for damage of any kind caused by the breaking or failure of the same.

17. The personnel referred to in Paragraph 8. above shall not be in charge of shore transportation but shall perform the sole function of checking authorizations and reservations as well as supervising the proper use of the buoys.

18. The MPA Managing Authority and the personnel referred to in Paragraph 8. above shall not be liable for any loss or damage suffered by the boats or property due to facts attributable to third parties.

19. The MPA Managing Authority and the personnel referred to in Paragraph 8. above shall not be liable for any theft committed on board the vessels in the mooring field and landing area.

20. In the event of damage caused to the buoy field structures (buoy markers and/or mooring lines), even as a result of mooring maneuvers alone, the user responsible for the damage shall provide compensation for the damage caused.

21. Only recreational units with valid R.C. insurance are allowed to moor.

22. During the periods identified by the Managing Authority for routine maintenance operations of the mooring lines or for special events, mooring may be prohibited subject to special notice on the Authority's institutional website.

Article 4 - Waivers

1. The provisions of Article 3 above shall not apply in the following cases:

- vehicles used in rescue, surveillance and service activities, of the MPA;
- units owned by the Managing Entity of the MPA;
- nautical units employed in the performance of works and services on behalf of the Managing Entity, within the limit strictly related to the needs of intervention.
- Up to a maximum of no. 10 vessels owned by subjects domiciled at Porto Pidocchio (Punta Chiappa di Camogli) as well as by operators based in the same area. These subjects shall comply with the provisions of Article 5 below.

Art. 5 - Specific provisions for subjects domiciled at Porto Pidocchio.

1. Limited to the mooring field of Punta Chiappa di Camogli, the Managing Authority of the Portofino MPA, in the presence of requests formalized by April 15, 2024, may reserve a maximum of no. 10 buoys located south of the access channel to Porto Pidocchio to subjects residing and/or domiciled at Porto Pidocchio, as well as to business owners with operational headquarters in the same area.
2. Interested parties may independently submit a formal application for authorization and pay the fee provided for in CdA Resolution No. 7 dated 29/02/2024; the buoys will be uniquely assigned to each applicant and will be marked with the color yellow and/or the words "RESERVED."
3. The permit is intended for the vessel indicated in the submitted application of the interested party.
4. Each subject authorized to moor at the buoys referred to in this article is obliged to constantly check the state of wear and tear and any damage to the structures used and to notify the MPA Managing Body of any anomalies. The same Entity will send personnel in charge of any maintenance within 4 working days of the request.

Title II - Provisions for safety and environmental protection.

Art. 6 - Provisions for the safe use of mooring fields

1. Mooring is allowed with favorable and assured weather and sea conditions up to sea force 2 (slightly rough) and wind force 2 (light breeze).
2. Nautical units within the mooring field shall proceed with safe speed, which may not, however, exceed 3 knots, in displacement trim, and shall be set with due consideration of:
 - a. the weather and sea conditions at the time in place;
 - b. the evolutionary capabilities of its unit;
 - c. the presence of traffic within the mooring field;
 - d. the presence of other units at the moorings;
 - e. any other factors that may affect the safe execution of the maneuver.
3. Within the mooring field, the following are prohibited:
 - anchoring with any unit whether for recreational or professional use;
 - carrying out diving activities with any technique;
 - carrying out fishing activities of any kind;
 - the mooring of more than one unit to the same buoy;

- exceeding the speed of 3 knots;
- the use of jet skis;
- leaving the unit unattended;
- bathing;
- sailing with sailing or rowing watercraft units.

4. Units must be manned by personnel licensed to conduct them, who, in case of necessity or extreme urgency, can release the mooring.

5. The use of the engine is allowed only and exclusively during mooring and unmooring of units at buoys.

6. No engine may be kept running during the stay, including any power generators, except when necessary for safety reasons.

7. Any activity that causes disturbance or hindrance to the smooth operation of the mooring field is prohibited during the stopover.

Article 7- Provisions for environmental protection.

1. During the mooring and/or within the mooring field, in order to protect the habitats 1120 "Posidonia grasslands (*Posidonia oceanica*)" and 1170 "Reefs", in application of the EEC Directive 43/1992 and the "Site Specific Conservation Measures for Ligurian Marine SCIs" (DGR 23/2015) are prohibited:

- a. anchoring;
- b. any maintenance operations to nautical units and/or engines;
- c. the discharge of bilge water within the mooring field and the washing of boats with detergents or other polluting products;
- d. the refueling of nautical units.

2. In the event of damage caused to the landing facilities as a result of mooring maneuvers, as well as the accidental spillage of any polluting element (such as oils, hydrocarbons or other) in the water mirror of the mooring field, the responsible user shall immediately put in place all actions aimed at reducing and containing the spillage, simultaneously informing the Managing Authority of the event and the actions taken. The responsible user will in any case be required to reimburse any expenses that may be necessary to eliminate the effects of the damaging event (e.g. clean-up, intervention of specialized firms, etc.).

Article 8 - Sanctions

1. Violations of the provisions contained in these Regulations shall be punished in accordance with the relevant Regulations in force.

Art. 9 - Processing and protection of personal data.

1. The Management Consortium of the Portofino MPA, as Data Controller, will process the personal data provided by users, using mainly computer and telematic methods, for the performance of its tasks of public interest or otherwise related to the exercise of its public powers, including the purposes of processing the application and initiation/prosecution/conclusion of the related procedure, including the activity of verification, archiving, historical research and analysis for statistical purposes.

2. The provision of data is compulsory and failure to include them does not allow the completion of the procedure initiated with the submission of the application.

3. The data will be processed for as long as necessary for the conclusion of the proceedings initiated, and after the expiration of the time limitation/expiration of the verification and control activity, the data will be retained in accordance with the rules on the preservation of administrative records.

4. The data will be processed exclusively by staff and collaborators of the Data Controller or companies expressly appointed as Data Processors. Outside these cases, the data will not be communicated to third parties or disseminated, except in cases specifically provided for by national or European Union law.

5. Data subjects have the right to obtain from the Data Controller, in the cases provided for by law and if the conditions are met, access to their personal data and the rectification or cancellation thereof or the restriction of the processing concerning them or to object to the processing (Art. 15 et seq. of the GDPR). The appropriate application is submitted by contacting the Data Protection Officer at the contact details published in the Transparent Administration Section of the Entity's website.

6. The interested parties, if the conditions are met, also have the right to lodge a complaint with the Guarantor as the Supervisory Authority in accordance with the established procedures.

7. More information can also be found on the Entity's website or can be requested from the Head of the procedure.

Art. 10 - Referral rules

1. For anything not regulated by these Regulations, the relevant legislation in force shall apply.