

REGULATION 2023 OF SCUBA DIVING
IN THE MARINE HEART OF PORT-CROS NATIONAL PARK

In a shared concern to ensure the sustainability of an exceptional natural, cultural and landscape environment and a diving experience of discovery, recognition, and contribution to the heritage management of the seabed, Port-Cros National Park, on the one hand, individual divers, diving facilities and signatory suppliers of diving support, on the other hand, have agreed on the following provisions:

Article 1: Scuba diving is prohibited in the waters of the marine heart of Port-Cros National Park, unless authorised by the Director of Port-Cros National Park. The marine heart is made up of waters up to 600 m around the islands and islets of Port-Cros and Porquerolles.

Article 2: The annual authorisation is subject to the online signature of this Regulation by the applicant and to the transmission the summary of the dives of the previous year from the CAPEL website (<https://capel.portcros-parcnational.fr/>) before 31st December of the previous year.

Article 3: This authorisation can be issued to individual divers, to diving facilities (associations, sports clubs, commercial companies in their own name or in corporate form), to suppliers of diving equipment (associations, commercial companies in their own name or in corporate form).

Article 4: The present regulations require any diver, individual or supervised, operating in the waters in the heart of the Marine Park:

1. **the absence of any physical contact with the substrate (walls, bottoms) or species, in particular during shots (photo or video);**

2. **the absence of any removal or destruction of species;**

3. **the absence of any disruptive action** in particular by the excessive use (too sustained or repeated) of underwater lighting;

4. **the absence of any feeding or use of any attractant process for animals;**

5. **the use of a stabilising vest** to avoid fins that could impact the fauna and flora;

6. **the absence of the use of an underwater scooter and the use of any autonomous motorised underwater vehicle (drone type, ROV, etc.).** Fin diving aids are still allowed for divers with disabilities, provided that their use is notified in advance by calling the relevant sector. (Port Cros 04 94 01 40 70, Porquerolles 04 94 12 30 40 or emergency number 06 31 87 94 01);

7. **the absence of any polluting discharge;**

8. **the absence of any inappropriate production of noise in the heart of the National Park** (example: use of the foghorn for launching and recalling divers, any use of a non-soundproof compressor, etc.);

9. For the facilities and diving equipment **the information and awareness of the instructors and divers on the great sensitivity of the underwater environment** and on the existence of the present regulation;

10. **respect for other sea users**, divers or not, adopting a cordial and soothing attitude.

Article 5: The number of divers is limited on each site to a maximum of forty divers who can dive simultaneously. To avoid the cross-over of groups, the signatories must carry out the launching of the divers by respecting the order of arrival on the site and by imposing an interval of 15 minutes with the last submerged group.

Article 6: Baptisms and teaching dives are prohibited in all circumstances on the Tombant Est and on the buoys of the dark creek and the southern creek of the Gabinière. With the exception of professional signatories of the regulation and displaying the partner logo, baptisms and teaching dives are also prohibited on the West Gabinière, at Pointe du Vaisseau and Pointe de la Croix.

Article 7: For any night dive, i.e., between sunset and sunrise defined by reference to legal time, it is imperative to inform the sector concerned before 7 p.m. (Port Cros 04 94 01 40 70, Porquerolles 04 94 12 30 40 or emergency number 06 31 87 94 01).

Around the island of Port-Cros, the night diving is only allowed in the northern perimeter located between the Cognet Point and Port-Man Point.

Around the island of Porquerolles, night diving is prohibited, except:

- in area C: area located on part of the north coast (Cap des Mèdes), within 600 meters from the shore, and bounded to the south by latitude 43°01.6008'N;
- on the Cemetery Wreck (l'Épave du Cimentier) (43°00.4550'N - 006°09.6390'E).

The number of divers simultaneously doing night diving is limited to 20 per site.

Mooring overnight on the diving sites is prohibited outside of these provisions. Tolerance is allowed to professional fishermen on the Dalles site for use limited to the rest needs of the crew.

Article 8: Diving support vessels (professionals or individuals) have priority for the use of mooring devices installed on dive sites subject to **limiting such use to the time strictly necessary for diving**, displaying an Alpha flag, using a mooring line of at least 3 metres and equipping at least one of its flanks with fenders allowing the berthing and mooring of other diving vessels.

Simultaneous mooring of more than 3 vessels is prohibited. The mooring of vessels over 15 metres is prohibited, unless authorised by the director on the principle of precedence. Swimming and snorkelling, with or without fins, are not assimilated to autonomous scuba diving and cannot take advantage of any priority.

At the following dive sites: **la Gabinière, la Croix, le Vaisseau, la Galère and Pointe de Montrémian**, due to the very intense attendance, **the presence of a person on board able to manoeuvre the vessel is mandatory from 9 a.m. to 5 p.m.:**

- during the weekends and holidays of 1st and 8th May, Ascension of Pentecost;
- from 1st July to 31st August.

Outside these hours as well as at other Park sites, this presence is strongly recommended, however in its absence on the surface, a visible display must indicate the number of people in the water and the scheduled time of exit.

The technical specifications of the buoys do not guarantee a safe mooring beyond 7 Beaufort. In all circumstances, the buoy must remain in contact with the water. Vessels with a cabin or cockpit must equip their mooring lines with a diabolo-type system (inverted cone) in order to prevent re-infestation of the islets of Port-Cros (Bagaud and Gabinière) by rats.

Article 9: Before diving into the marine heart of the Port-Cros National Park, divers are required to sign the present regulation online from the CAPEL website (<https://capel.portcros-parcnational.fr/>) and to affix on their vessel, in a visible way, the sticker valid for the current calendar year to be collected at the Parc house.

Article 10: The signatories undertake to report to the National Park, particularly by telephone (Port Cros 04 94 01 40 70, Porquerolles 04 94 12 30 40 or emergency number 06 31 87 94 01), any observations or anomalies observed on the sites (abandoned nets, proliferation or decrease in the population of marine organisms, misuse, infringements, etc.).

Article 11: The professional signatories or their representatives, Park partners, undertake to meet the managers of the National Park annually to evaluate the application of this regulation.

Article 12: The National Park undertakes to disseminate the information and educational materials at its disposal and, on the initiative of the signatory facilities, undertakes to support the production of information and awareness documents for the discovery of the underwater world in the waters of the National Park.

AUTHORISATION

SCUBA DIVING IN THE WATERS OF THE HEART OF THE PORT-CROS NATIONAL MARINE PARK

Year 2023 Considering the decree n°2006-944 of 28th July 2006 relating to national parks and modifying in particular the environment code,

Considering the decree n° 2009-449 of 22nd April 2009 modified taken for the adaptation of the delimitation and the regulation of the National Park of Port-Cros to the provisions of the Code of the environment resulting from the law n° 2006-436 of 14th April, 2006,

Considering the prefectural decree #174/2021 from 07 July 2021 regulating navigation, the anchoring of ships, scuba diving and the practice of motorised water sports in the 600-meter coastal strip around the islands of Port-Cros, Bagaud and their islets (municipality of Hyères-Les-Palmiers),

Considering the prefectural decree #173/2021 from 07th July 2021 regulating navigation, the anchoring of ships, scuba diving and the practice of water sports of speed in the 600-meter coastal strip around the island of Porquerolles, its islets and the dry land of Sarraniers and Langoustier (municipality of Hyères-Les-Palmiers),

Considering the conditions fixed by the Director of the National Park for the practice of scuba diving in the 600meter coastal strip of around the island of Port-Cros and the islets of Bagaud, Gabinière and Rascas and those registered in the corresponding regulation, Considering that it is appropriate to implement measures for the protection and conservation of biodiversity and underwater habitats in the waters of the Port-Cros National Park.

Article 1: This authorisation is issued as an **individual title to the signatory** of the regulations relating to the behaviour to be adopted in terms of scuba diving in the 600-meter coastal strip of the sea (Port-Cros and Porquerolles) **for the current calendar year**.

Article 2: The issue of the annual authorisation is subject to the transmission of the summary of the dives of the previous year from the CAPEL website (<https://capel.portcros-parcnational.fr/>) before 31st December of the previous year.

Article 3: The fact that an individual diver has been fined for breaching the regulations applicable in the 600-meter coastal strip of (Port-Cros and Porquerolles) can lead to the immediate withdrawal of the authorisation, without prejudice to any criminal proceedings that could be brought against him.

Article 4: For a diver to dive without being a signatory of the regulations may result in the application of the sanction provided for by the texts and the impossibility of diving individually during the current year in the waters of the marine heart of the Port-Cros National Park (Port-Cros and Porquerolles).

Article 5: Any violation may result in the immediate revocation of the licence and the prohibition of any underwater activity, in the marine heart of Port Cross national Park for the rest of the current year. The revocation of the license is notified by registered mail with acknowledgement of receipt as well as by follow-up email and is effective from 7 days from the notification.

Article 6: In the event of revocation of license, as stipulated in article 5 of these regulations, he Director of the Port-Cros National Park must consult the Disciplinary Committee to consider whether or not to renew the license for the following year. This committee is made up of:

- A manager of Port-Cros National Park;
- a representative of the Knowledge Service for the Management of Biodiversity of the Port-Cros National Park;
- a commissioned officer from Port-Cros National Park;
- two representatives of professional diving facilities;
- a representative of the FFESSM;
- a representative of the Membership Organisation and the facility concerned.

This consultation can be done electronically, by video conference or face-to-face. Any decision of the Disciplinary Committee is notified by registered mail with acknowledgement of receipt. as well as by follow-up email and is effective from 7 days from the notification.

Date and registration number:

The diver, the head of the diving facility or equipment provider:

Phone number: Mail address (**required**):

Boat name and registration:

Director Signature from
Port-Cros National Park: