



Republic of the Philippines
Province of Aklan
MUNICIPALITY OF MALAY



Office of the Sangguniang Bayan

MUNICIPAL ORDINANCE NO. 98-119

AN ORDINANCE REGULATING THE OPERATION OF SCUBA DIVING SHOPS/SCUBA DIVERS, AND PERSONNEL ENGAGING IN SEA AND UNDER WATER SPORTS ACTIVITIES, AND PRESCRIBING PENALTIES IN VIOLATION THEREOF.

(SPONSOR: HON. FROLIBAR S. BAUTISTA)

SECTION 1. - REQUIRING ACTS. No Scuba Diving Shops owner/operators is allowed to operate/and or engage in any diving activities within this Municipality without Mayor's Permit or Municipal License and shall be endorsed by the Boracay Association of Scuba Diving School (BASS).

SECTION 2. - Definition of Terms.

a) **PERSONNEL:**

1) "**DIVE MASTER**" - one who supervise diving activities for certified divers, assist instructors with training students and instruct snorkeling.

2) "**DIVE INSTRUCTOR**" - a dive professional who undergone Instructor Development Course or Instructor Orientation Course and successfully completed an Instructor Examinations (IE).

"**SCUBA DIVER**" - a person who is a certified diver or student that use scuba diving equipment with compressed air and dive water for fun and adventure.

SECTION 3. - **RULES AND REGULATIONS.**

A. **IDENTIFICATION OF DIVE SITES:**

1) A mooring buoy shall be installed by the BASS members in coordination with LGU and Philippine Coast Guard within the identified dive sites. See Annex A.

2) Collection of shells and other marine products is strictly prohibited.

B. **CONFINE WATER SESSION (SHALLOW WATER EXERCISE):**

a) A Diving Flag and Buoy with red and white color shall be carried along the area during water session.

C. **LOADING AND UNLOADING OF DIVERS AND DIVING EQUIPMENT:**

1) Divers and diving equipment must be ready before docking of diving service/boats for departure.

2) Diving/service boats must setback after unloading as per Municipal Ordinance No. 97-110.

D. **NIGHT DIVE AND DAY TRIP OUTSIDE BORACAY ISLAND:**

a) Diving Shop owners/operators must inform BASS officers to coordinate with the Philippine Coast Guard before departure for night diving for recording and safety purposes.

b) Lights with blue color shall be installed to the mast of the diving/service boat during night under water operation.

E. REGULAR INSPECTION OF DIVING EQUIPMENT, DIVING BOATS AND BREATHING AIR COMPRESSOR:

a) Diving equipments, diving boats and breathing air compressor shall be inspected in every six (6) months to be conducted by the "Inspection Team" that shall be composed of the following:

- 1) Sangguniang Bayan Member
- 2) Philippine Coast Guard
- 3) DOT Representative
- 4) BASS Representative
- 5) Presidential Commission Sports and Scuba Diving

b) "**INSPECTION TEAM**" shall formulate guidelines in accordance with the BASS rules and regulations.

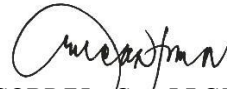
F. PADI/BASS REGULATIONS IS HEREBY ADOPTED:

SECTION 4. - **PENAL CLAUSE.** Any violation of any provision of this Ordinance shall be fined ONE THOUSAND PESOS (₱1,000.00) in first offense, ONE THOUSAND FIVE HUNDRED PESOS (₱1,500.00) in second offense and TWO THOUSAND FIVE HUNDRED PESOS (₱2,500.00) in third offense and revocation of Mayor's Permit and or imprisonment of not more than three (3) months or both at the discretion of the court.

SECTION 5. - Effectivity. This Ordinance shall take effect upon approval and proper publication.

APPROVED. DECEMBER 29, 1998.

CERTIFIED TRUE COPY:



CONCORDIA S. ALCANTARA

Secretary to the Sangguniang Bayan

APPROVED. SP RESOLUTION NO. 99-66, dtd. 2-15-99

