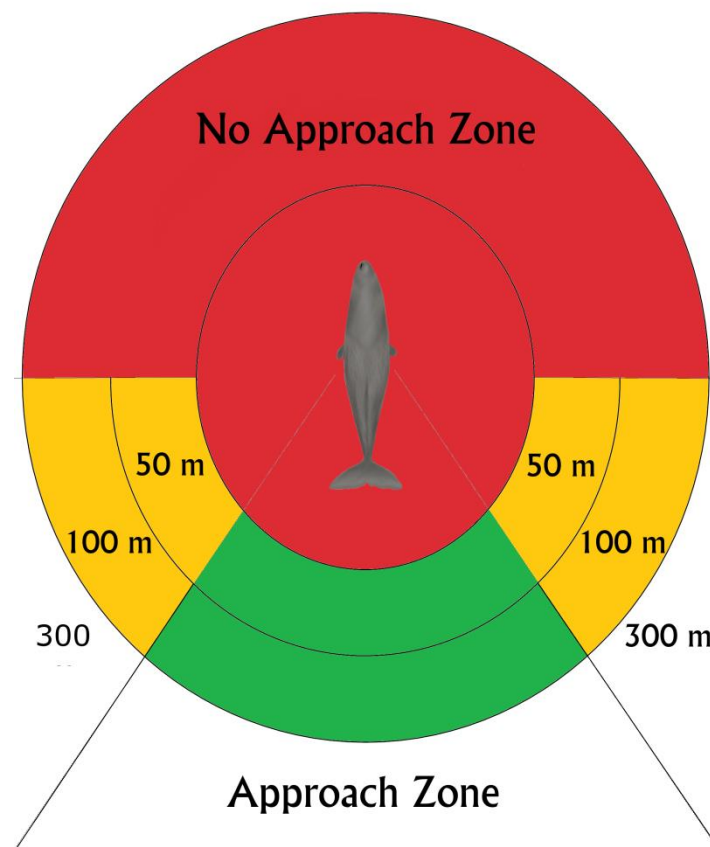


Rules and Codes of Conduct for Whale and Dolphin Watching in the Azores



- 50 metres – Approach limit to cetaceans
- 100 metres – Approach limit when whale calves are present
- 300 metres – Approach limit to dolphins when 3 or more boats are present
- 500 metres – Approach limit to whales when 3 or more boats are present

General Rules

1 - The rules under this and the following articles are applicable to all observation situations, regardless of species of cetacean being observed;

2 - The following rules must be observed:

- a) Avoid producing noise in the proximity of animals that can either disturb or attract them;
- b) Warn the maritime authorities when a dead or injured cetacean is seen or about any incident involving cetaceans.

3 - During the observation it is forbidden to:

- a) Chase cetaceans;
- b) Separate or isolate animals, especially calves from adults;
- c) Feed cetaceans;
- d) Scuba dive and use underwater scooters inside the approaching area;
- e) Pollute the water with any solids or liquids;
- f) Use SONAR, even outside the approaching area.

4 - Night observation is forbidden, except for scientific purposes.

Approach

1 – Any platform or swimmer is considered inside the approach area if it is within 500 metres of the closest animal

2 – During approach:

- a) Keep a lookout for the movement of the animals around the platform;
- b) Keep the boat parallel and slightly behind the animals, in a way that they have a 180° free area ahead of them;
- c) Avoid sudden direction or speed changes;
- d) Do not exceed the speed of the animals;

5 – It is strictly forbidden to:

- a) Reverse the engine unless in an emergency;
- b) Approach animals closer than 50 metres;
- c) Approach animals with a sailing vessel just under sail (the use of an engine is mandatory).

6 - If the observed animals are agitated or show signs of stress the distance of the vessel must be increased accordingly;

7 - It is forbidden to intentionally approach sperm whale calves when they are alone at the surface.

Observation

1 – Time of permanence inside the approaching area is limited to a maximum of 30 minutes.

2 – Whenever the animals approach the vessel closer than 50 metres, the engine should be idled;

3 – When the observation is finished or whenever the animals show signs of stress the vessels must exit the approaching area using the sector placed behind the animals;

4 - When there is more than one vessel inside the approaching area the following rules must be obeyed:

- a) The permanence of more than 3 vessels in an area with a radius of 300 metres around an animal or group of animals is forbidden;

- b) The vessels must be parallel to each other and positioned in a sector 60° behind the animals;
- c) Approach maneuvers must be coordinated via radio by the first vessel entering the approach area to reduce impact on the animals' behaviour;
- d) The permanence of vessels in a radius of 500 metres around resting animals, females giving birth or immobilised animals is forbidden;

Swimming in the approach area

- 1 – Swimming with whales is strictly forbidden;
- 2 – The decision to put swimmers in the water and the distance from the animals is a responsibility of the captain of the vessel and must take into account the welfare of the animals and the swimmers;
- 3 – Vessels that have swimmers in the water must have a second crew member apart from the captain who is responsible to keep watch for the swimmers and animals ensuring their welfare;
- 4 – Each vessel is limited to three attempts of releasing swimmers. If the animals show signs of avoidance they must be left alone;
- 5 – The swimmers, always wearing snorkel equipment, and never in a number above two, must keep together in a radius of 50 metres around the vessel; intentional physical contact with animals is strictly forbidden; movements must be slow and noises avoided;
- 6 – Swimmers must not stay in the water with the animals for longer than 15 minutes at a time;
- 7 – While there are swimmers in the water the engine must be idled;
- 8 – The recovery of the swimmers must be made with minimal disturbance to the animals, keeping a distance of at least 50 metres from them;

Whales specific regulation

- 1 – It is forbidden to approach calves that are alone at the surface; when approaching adults with calves a minimal distance of 100 metres must be kept.
- 2 – When there is more than one vessel watching whales the following rules must be obeyed:
 - a) No more than 3 vessels may be inside an area 500 m around an individual or group of whales;
 - b) The precedence of observation is by arrival order to the approaching area or by the vessels' proximity to animals that surface at a distance within 500 metres from any given boat;
 - c) The vessels must be parallel to each other and within a sector 60° behind the animals;
 - d) Approach maneuvers must be coordinated via radio by the first vessel entering the approach area to reduce impact on the animals' behaviour;
 - e) Each vessel can stay inside the approaching area of 500 metres for a maximum of 15 minutes, after which it must exit the area; during the same trip it cannot reapproach the same group of animals;
 - f) If the animal/s dive during the observation period of 15 minutes the observation period restarts but the vessel loses precedence over the others.

Audio-visual operations

- 1 – Vessels supporting audio-visual crew must communicate their objectives to any other whale watching vessel that is operating in the area;
- 2 – Audio-visual operation and tourist operation cannot simultaneously target the same group of animals; tourist vessels have priority over audio-visual operation, unless the objective of the audio-visual operation is to film or record the operation of the whale watching boats;
- 3 – Audio-visual operation should be supervised by local nature guides and scientific personnel with proven experience in cetology;
- 4 – The behaviour of the animals cannot be manipulated;
- 5 – The final products must include a reference to the precautions taken to guarantee the welfare of the animals.