

POLICY RECREATIONAL DIVING BUSINESSES

1. INTRODUCTION

The paper outlines the general policy guidelines and conditions for the diving industry. The policies have been drafted following the adoption of the Tourism Master Plan 2012-2020.

2. DEFINITION

2.1 The diving business in Seychelles is regulated by the *Licences (Diving Business) Regulations*. The regulations provide for three types of diving businesses. The definitions and activities are as follows:

2.1.1 Diving business means the business of a dive centre or a dive operator for the provision of facilities for recreational diving;

2.1.2 Dive centre means a person or a body of persons engaged in the teaching of diving; (A dive centre may also offer diving excursions and must operate from a land-based facility.)

2.1.3 Dive operator means a person or a body of persons engaged in conducting diving excursions; (A dive operator is not allowed to offer tuition dives.);

2.1.4 Power diving means a system of diving in which a person is connected to a floating unit that is towed along the surface supporting the air supply.

2.1.5 Recreational Diving means diving excursions offered by any one of the diving businesses as a leisure activity and during which the dive does not go beyond the depth of 40 metres.

2.2 It is important to note that the primary difference between a "dive centre" and "dive operator" is in the type of services they are allowed to offer under the regulations. Dive centre is allowed to teach diving; a dive operator is only allowed to offer service to qualified divers only.

3. POLICY

3.1 The competition in the global tourism industry keeps getting fiercer everyday and to be able to compete and keep or improve their market share the different tourism destinations are developing various strategies and putting so much resource into this industry.

3.2 Similarly, Seychelles is in no way being spared by this competition and so there is the need to capitalise on the country's own assets and resources to optimise the benefits gained from the tourism industry.

- 3.3 It is well known that Seychelles has very limited natural or other resources and so it is important that the little resources, assets or attractions available are put to good use in a sustainable manner and in the process bring the maximum benefit to the local population.
- 3.4 Diving is one of the activities which gives value to Seychelles natural environment and has the potential to grow further and bring significant gains to the local economy.
- 3.5 The necessary attention shall therefore be given to further develop this sector as a niche eco-tourism activity within the tourism industry. Attention shall also be given to ensuring that the appropriate operating environment is established and that quality and standards are maintained for the satisfaction of the clientele and the betterment of the tourism industry.
- 3.6 In view of the developments and the various new practices that seem to be manifesting themselves, the following policies will guide the development of recreational diving in Seychelles. In addition to these, there are also licensing and other regulations which the diving businesses will still need to abide to.

4. LOCATION OF DIVE CENTRES

There are currently 20 dive centres and 5 Dive Operators:

<u>Location</u>	<u>Dive centre</u>	<u>Dive Operator</u>
Mahe	9	3
Praslin	4	1
La Digue	1	1
Other	6	0

POLICY STATEMENTS FOR RECREATIONAL DIVING BUSINESSES

Policy 1

Ownership or investment in dive centre is reserved for Seychellois only. For dive operator on yachts/liveboards foreigners are allowed.

In order to ensure locals and residents can benefit from the diving business and tourism in general, it is necessary that Seychellois can participate actively. It is therefore necessary to restrict ownership or investment in dive businesses to Seychellois only. “Seychellois only” means 100 % ownership of shares by Seychellois citizens including all assets.

(Note: Existing businesses under foreign ownership will be allowed to continue to operate.)

For **dive operator** on yachts/liveboards, foreigners shall be allowed to invest and based on the following fleet size:

<u>No of Yachts</u>	<u>Minimum Seychellois share</u>
1-3	100%
4-5	51%
6 & above	no minimum

However, if the Yacht/Liveboard is over 50 feet and above the normal standard and is offering specialized services, a foreigner may be considered to operate with only one Yacht/Liveboard. (The foreigner can only extend its fleet by adding another Yacht/Liveboard of over 50 feet or observing the above – minimum 6 Yacht/Liveboard in fleet if the Yacht/Liveboard is less than 50 feet). Even if there are a minimum of 6 yachts/live-boards in fleet, only a maximum of five yachts/live-boards will be considered as dive operators.

Policy 2

All diving businesses are required to meet the minimum standards of the regulatory bodies and sensitize their clients on the need to preserve the environment and respect the laws that are in place.

All dive businesses shall be required to meet the quality and standards set by the regulatory bodies, which include but are not restricted to, the Seychelles Licensing Authority, Department of Environment, Seychelles Bureau of Standards, Coast Guards, Tourism Department and the Seychelles Maritime Safety Administration.

It should be the responsibility of the diving business to sensitize its clients on the need to respect the environment and abide to the rules and regulations that govern the activities they are involved in.

Policy 3

All dive centres must be land-based.

All dive centres must have a base of operation on land. As per definition dive centres can offer tuition dives, therefore, it is necessary that they have their base on land to be able to teach diving.

No dive centre licence should be issued to liveboards.

Policy 4

All dive centres must have a facility for tuition dives.

All licensed dive centres are allowed to offer tuition dives. In order to teach diving, it must be done in **confined waters**.

“Confined waters” means a swimming pool or an open water site that offers swimming pool like conditions with respect to clarity, calmness and depth; the depth must allow students to meet all performance requirements outlined for that session.

Policy 5

A dive centre is allowed up to a maximum of three dive boats under its dive centre licence.

A dive centre is allowed to have up to a maximum of three boats by simply paying an additional fee on the dive centre’s licence without having to pay a full separate hirecraft licence. These boats shall be licensed to be used for diving purposes only but can be used for different activities as part of the diving package.

Policy 6

All dive centres are required to employ at least one person with the qualifications of Diving Instructor.

All dive centres shall be required to have at least one person who is fully employed with the respective dive centre and holds the qualifications of Diving Instructor.

All tuition dives shall be carried out by the Diving Instructor.

Policy 7

Any licensed dive centre may carry out excursions as a boat charter provided it is conducted together with a diving activity.

Any licensed Dive centre may offer services of a boat charter provided he has all the necessary equipment and complies with all the requirements of a boat charter and does not advertise this as its core activity. In this case, the boat charter activity should not be conducted in isolation; it must be accompanied by a diving activity.

Policy 8

All dive operators can offer excursion dives to qualified divers only.

All dive operators can offer excursion dives to qualified divers only. They cannot engage in the teaching of diving. This is stated very clearly in the definition of a dive operator under the *Licence (Diving Business) Regulations*. This condition shall be clearly displayed as a notice for the information of the clients and should therefore be stated as a condition on the licence.

Policy 9

A minimum qualification level of the head of the diving personnel of a dive operator is of a Dive Master.

The head of the diving personnel onboard each dive boat operated by the dive operator shall have a minimum required qualification of the level of a dive master.

Policy 10

Any licensed boat charter operator may carry out dive operations provided he has all the necessary equipment and complies with all requirements of a dive operator.

Any licensed boat charter operators (Seychellois owned) may offer services of a dive operator provided they have all the minimum equipment and complies with all the requirements of a dive operator and do not advertise diving as its core activity. In this case, the operator should have at least two complete sets of diving equipments (Buoyancy Control Device (BCD), Regulator (with alternate air source and submersible pressure gauge including instrument console) and Cylinder/Scuba Tank) for the clients and should the operator require more, they may rent out diving equipments from a licensed dive centre. This type of operator will not be required to have a compressor.

Policy 11

All diving businesses are required to provide information to the Tourism Department and Seychelles Licensing Authority or any other relevant Authority, periodically or whenever requested to do so.

All diving businesses are required to submit statistics as per requirement of the Tourism Department and Seychelles Licensing Authority or any other relevant Authority, periodically or when requested to do so.

Policy 12

All licensed diving businesses should have a Risk management plan for Risk reduction and disaster preparedness and should also have appropriate insurance cover.

All licensed diving businesses should have a risk management plan for risk reduction, disaster preparedness and emergency response.

All licensed diving operators must also have a Marine Hull insurance cover inclusive of vessel and passengers.

All policy should include a minimum third party liability and public liability of SR 2 million to cover liability to clients.

**Tourism Department
July 2015**