

CONSOLIDATED TO 30 JUNE 2012

LAWS OF SEYCHELLES

CHAPTER 114

LIGHTING OF FIRES (RESTRICTION) ACT

[20th July, 1940.]

ARRANGEMENT OF SECTIONS

Act 2 of 1940.
Act 2 of 1952.
Act 34 of 1967.
Sl. 95 of 1975.
Sl. 104 of 1975.
Sl. 72 of 1976.
Act 23 of 1976.

Section

1. Short title.
2. Definitions.
3. Declaration of protected area.
4. Prohibition on lighting fires.
5. Removal and planting of trees in burnt area.
6. Permit.
7. Penalty.

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1. This Act may be cited as the Lighting of Fires (Restriction) Act.
 2. In this Act unless the context otherwise requires -

"Agricultural Appeals Tribunal" means the Agricultural Appeals Tribunal constituted and acting in accordance with section 9 of the Agriculture Act, and the regulations (if any) made thereunder which section and regulations shall, subject to the provisions of the Act and any regulations made thereunder, apply mutatis mutandis to an appeal under this Act;

"tree" includes palms, timber, shrubs, brushwood, bushes of all kinds, seedlings, saplings and re-shoots of all ages, all wood whether cut up or fashioned for any purpose or not, and any part of a tree, whether dead or alive;

"protected area" means any area or any part thereof declared by proclamation to be a protected area.

3. The Minister if satisfied that it is necessary and expedient to regulate the lighting of fires in any area in Seychelles may by order declare that area to be a protected area for the purposes of this Act.

4. No person shall light or cause or authorise to be lighted a fire or charcoal pit in any forest, plantation or field in a protected area for any purpose whatsoever unless he holds a written permit, hereinafter referred to as a burning permit, from the Chief Agricultural Officer or any person duly authorised by him in writing authorising him to do so.

5. In the event of a fire or charcoal kiln being lit in a protected area with or without a burning permit, which results in any tree being destroyed, no person shall without permission from the Chief Agricultural Officer or any person duly authorised by him in writing, remove or cause or authorise to be removed any tree from the burnt area, or replant the land except as authorised by the Chief Agricultural Officer or any person duly authorised by him in writing.

6 (1) A burning permit shall be in the form set out in the schedule hereto.

(2) It shall be in the discretion of the Chief Agricultural Officer or any person duly authorised by him in writing to grant, cancel, refuse or restrict a burning permit:

Provided that any person feeling aggrieved by the decision of the Chief Agricultural Officer or any person duly authorised by him in writing may appeal to the Agricultural Appeals Tribunal whose decision shall be final.

7. Any person found guilty of an offence under section 4 or 5 shall be liable on conviction to a fine not exceeding one thousand rupees and imprisonment not exceeding one year.

SCHEDULE

FORM OF BURNING PERMIT GRANTED UNDER SECTION 6 OF THE LIGHTING OF
FIRES (RESTRICTION) ACT)

District Place
..... residing at the above men-
tioned place is hereby permitted to burn on his property situate at
.....

This permit is valid for a period of one month.

.....
Chief Agricultural Officer
or any person duly authorised
by him in writing.

Place

Date

LAWS OF SEYCHELLES

PROC. 15 of 1940

LIGHTING OF FIRES (RESTRICTION) ACT

CHAPTER 114

SUBSIDIARY LEGISLATION

SECTION 3

PROTECTED AREA, PRASLIN

[27th July, 1940.]

WHEREAS by section 3 of the Lighting of Fires Restriction Act, power is given to the Minister to declare by order any area in Seychelles to be a protected area.

AND WHEREAS it is necessary and expedient to regulate the lighting of fires at Praslin Island.

NOW, THEREFORE, in virtue of the powers in me vested under the above mentioned section of the said Act, I do hereby by this order, declare the Island of Praslin to be a protected area.
