

**National Parks (Port Launay Marine)
Regulations**

S.I. 9 of 1981.
S.I. 25 of 1987.

[2nd February, 1981]

ARRANGEMENT OF REGULATIONS

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PART I - PRELIMINARY

1. These Regulations may be cited as the National Parks (Port Launay Marine) Regulations. Citation.

2. In these Regulations, unless the context otherwise requires: Interpretation.

“anchor” means a device or a combination of devices used or which may be used for securing a craft in a fixed position in relation to the sea-floor;

“Commission” means the Seychelles National Environment Commission established under section 3 of the Act (but subject to section 12 of the Act);

“craft” includes any kind of boat or water craft, but does not include a craft while engaged in saving life or proceeding to or coming from anywhere to save life;

“explosives” has the meaning assigned in section 2 of the Explosives Act; Cap. 77.

“foreshore” means the area between high and low water marks;

“National Park” means the Port Launay Marine National Park as designated in the National Parks (Port Launay Marine) (Designation) Order. S.I. 56 of 1979. (Cap. 141 Sub. Leg.)

“paragliding” means a water sports activity whereby a person harnessed to a specially constructed parachute is made airborne by being pulled behind a motor boat on the end of a tow-line;

“spear-gun” means a device or instrument designed to propel a missile under water for the purpose of catching, injuring or killing any aquatic organism;

“water-ski” includes an aquaplane or similar device.

3(1) Nothing in these regulations shall prevent or interfere with — Other laws.

- (a) residents of land adjoining the National Park having reasonable access to their property;
- (b) the Harbour Master or Department of Health performing any act which they may consider necessary to public safety or public health, provided that such act is not performed without prior consultation with the Commission.

(2) These regulations shall be in addition to and not in derogation of any regulations in force relating to harbours or territorial waters.

PART II - USE OF CRAFT

Water-skiing,
paragliding etc.

4. No person shall, without the prior written consent of the Commission, use or cause or permit to be used in the National Park —

- (a) a surf board;
- (b) a water-ski;
- (c) paragliding equipment; or
- (d) a craft to water-ski or paraglide.

Reckless use of
craft.

5. No person shall use a craft in the National Park

- (a) recklessly; or
- (b) at a speed or in a manner which is dangerous to another person; or
- (c) without due care and attention.

Anchoring.

6(1) Notwithstanding Regulation 7, but subject to sub-regulation (2), a craft may be secured by an anchor to the sea-floor in the National Park.

(2) Notwithstanding sub-regulation (1), but subject to Regulation 15, no person shall in the National Park use or cause or allow to be used an anchor so as to disturb or damage coral.

PART III - PRESERVATION OF ENVIRONMENT

7. Subject to Regulations 9, 12, 13 and 15, no person shall, in the National Park, Damage or disturbance to sea-floor.

- (a) damage or disturb a sandbank, reef, rock or area of the sea-floor or foreshore; or
- (b) kill, capture, take or wilfully injure by any means any wild life whether vertebrate or invertebrate and whether alive or dead; or
- (c) remove for any purpose humus, soil, sand, mud, gravel, rock, coral or reef debris from the sea-floor or foreshore.

8. Subject to Regulations 9 and 15, no person in the National Park shall have in his possession, whether obtained in or outside the National Park, a mollusc, or shell of a mollusc, or any coral. Ban on having mollusc, shell or coral.

9. Notwithstanding Regulations 7 and 8, a resident of land adjoining the National Park may collect and take from the foreshore adjoining his land the following shell-fish — Collection of shellfish by residents.

bernique	bigorneau
hache d'armes	oyster
palourde	tec-tec.

PART IV - LITTER AND POLLUTION

10(1) Subject to Regulation 15, no person shall in the National Park throw down, drop, leave or otherwise deposit any thing or substance so as to deface by litter or pollute the National Park. Litter and pollution.

(2) No person shall outside the National Park throw down, drop, leave or otherwise deposit any thing or substance so as to cause or contribute to the defacement by litter or pollution of the National Park.

(3) Notwithstanding sub-regulation (1), a person in the National Park may deposit litter in litter bins provided by the Commission.

(4) In addition to any penalty imposed under Regulation 17, a person contravening this Regulation may be ordered by the court to pay any costs incurred by the Commission in restoring any part of the National Park affected by the defacement or pollution caused by that person.

PART V - FISHING EQUIPMENT

Ban on fishing equipment.

11(1) Subject to Regulations 12, 13 and 15, no person in the National Park shall bring into, or have in his possession in, the National Park —

- (a) a spear-gun or harpoon;
- (b) a net which is not licensed under Regulation 12;
- (c) a casier or a handline which is not licensed under Regulation 13;
- (d) other equipment designed for or which may be used to contravene Regulation 7(b);
- (e) any explosives, explosive device or firework; or
- (f) a poisonous substance.

(2) Notwithstanding sub-regulation (1), a craft in the National Park which —

- (a) enters for reasons of safety; or
- (b) in passing through to reach fishing grounds outside the National Park,

may carry or retain any equipment or substance specified in sub-regulation (1) if it is not in a state ready for use.

Licences for nets.

12(1) Subject to this Regulation, the Commission may licence the use of nets in the National Park for fishing and for retaining fish in temporary holding facilities.

(2) The Commissioner may in its discretion limit the number of licences.

(3) The Commission may impose general or special conditions on a licence and shall make it a condition of each licence that the nets are not used so as to endanger or hinder other users of the National Park.

13(1) Subject to this Regulation, the Commission may licence the use by residents of land adjoining the National Park of casiers and handlines for obtaining fish in the National Park.

Licences for casiers and handlines.

(2) The Commission may in its discretion limit the number of licences.

(3) The Commission may impose general or special conditions on a licence and shall make it a condition of any licence for a casier that each casier is marked with the licence number of the owner.

(4) Notwithstanding the terms of any licence issued, the Commission may by notice in the *Gazette* prohibit the use of licensed casiers or handlines in specified areas in the National Park.

(5) The Commission may remove and dispose of as it thinks fit a casier found in the National Park which is —

- (a) not marked with a licence number of a current licence; or
- (b) is in an area prohibited under sub-regulation (4).

PART VI - MISCELLANEOUS

14(1) The Commission may in its discretion impose a fee or charge of a maximum of R. 100 for —

Fees and charges.

- (a) entry into the National Park;
- (b) licences under Regulations 12 or 13;
- (c) the performance of acts in the National Parks; or
- (d) services provided by it.

(2) The Commission shall give notice in the *Gazette* of fees or charges imposed under sub-regulation (1).

Authorised
exemptions.

15. The Commission may authorise in writing the doing of anything in the National Park which would otherwise contravene Regulations 6, 7, 8, 10 or 11 and may in its discretion impose general or special conditions on that authorisation.

Boarding of craft.

16(1) An officer or agent of the Commission or a police officer may at any time board and inspect a craft in the National Park where he has reasonable grounds to suspect that the craft or a person in the craft is contravening these Regulations.

(2) No person shall prevent, hinder or obstruct boarding or inspection under sub-regulation (1).

PART VII - OFFENCES

Offences and
penalties.

17. A person who contravenes

(a) any provision of Regulations 4, 5, 6(2), 7, 8, 10, 11, 13(4) or 16(2); or

(b) a condition of a licence under Regulation 12 or 13;
or

(c) a condition of an authorisation under Regulation 15,
is guilty of an offence and is liable to imprisonment for 3 months and to a fine of R. 2000.
