

SEYCHELLES



MARINE MAMMALS SANCTUARY DECREE, 1979

(DECREE 28 of 1979)



&c.,

&c.,

&c.,

I decree,

F. A. RENE,
President.

29th May, 1979.

A DECREE to provide for the establishment of a Marine Mammals Sanctuary, and for matters incidental thereto and connected therewith

IT IS HEREBY DECREED by the President as follows—

1. This Decree may be cited as the Marine Mammals Sanctuary Decree, 1979, and shall come into operation on such date as the President may, by notice published in the Gazette, appoint.

Short title
and
commence-
ment

- Interpretation 2. In this Decree, unless the context otherwise requires—
- 15 of 1977 “exclusive economic zone” means the exclusive economic zone of Seychelles as defined by or under the Maritime Zones Act, 1977 ;
- “marine mammal” means any whale, dolphin, torpoise or dugong ;
- “Sanctuary” means the Marine Mammals Sanctuary established by section 3 ;
- “territorial waters” means the territorial waters of Seychelles as set out by or under section 3 of the Maritime Zones Act, 1977.
- Establishment of Marine Mammals Sanctuary 3. (1) The territorial waters and exclusive economic zone are hereby declared to be a Marine Mammals Sanctuary.
- (2) Any person, who, in the Sanctuary, except with the permission of the President,—
- (a) kills any marine mammal ;
 - (b) chases any marine mammal with intent to kill ;
 - (c) harrasses any marine mammal so as to disturb its natural behaviour or breeding habits ;
 - (d) takes any marine mammal, alive or dead, including any marine mammal stranded on land,
- shall be guilty of an offence and liable to a fine of R. 200,000 and to imprisonment for 5 years, and in addition to any penalty imposed the Court may order that any boat or fishing equipment or machinery used in the commission of the offence shall be forfeit to the State.
- (3) It shall be a defence to a charge under subsection (2) (d) to prove that either,—
- (a) if taken alive, the marine mammal was returned to the sea ; or
 - (b) if taken dead or so seriously injured as to render its recovery unlikely, the taking of the marine mammal was, as soon as practicable, reported to the Principal Secretary to the Ministry for the time being res-

possible for fisheries matters and the body disposed
of in accordance with his instructions.

GIVEN at State House, Mahe, Seychelles, this 29th day
of May, 1979.
