

BERMUDA STATUTORY INSTRUMENT

BR 49/1988

BERMUDA NATIONAL PARKS REGULATIONS 1988

[made under section 25 of the Bermuda National Parks Act 1986 [title 19 item 6] and brought into operation on 15 July 1988]

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Citation

1 These Regulations may be cited as the Bermuda National Parks Regulations 1988.

Interpretation

2 In these Regulations, unless the context otherwise requires—

"Act" means the Bermuda National Parks Act 1986 [*title 19 item 6*];

"horse" includes a pony, donkey, ass or mule;

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"take" in relation to any animal includes capturing, killing and destroying as well as attempting to capture, kill, and destroy any such animal;

"vessel" includes power-craft, row boats, sailboats, windsailboards, surfboards, canoes and kayaks.

Prohibited conduct in open spaces

3 No person shall, in any protected area—

- (a) enter any part thereof upon which entry is, by notice displayed thereon or in the vicinity thereto, declared to be prohibited to members of the public;
- (b) enter or remain therein at any time when such area is, by notice displayed thereon or in the vicinity thereto, declared to be closed to the public;
- (c) enter any sanitary convenience provided for the use of the opposite sex or loiter in or around any such convenience;
- (d) remove, uproot, destroy or injure any tree, shrub or plant or break any bough or pluck any flower or leaf, or dig, cut or take any turf, soil, gravel, sand or other substance;
- (e) take any animal (including birds, reptiles, fish or invertebrate animals) where such taking is prohibited by notice displayed in such area or in the vicinity thereof;
- (f) remove, deface, damage or destroy any structure, archaeological artifact, treasure, buried relics, cave formations or mineral deposit;
- (g) use any device capable of detecting metal or searching for artifacts;
- (h) deliver any public lecture, sermon or address;
- (i) sing, play any musical instrument, radio, record player, tape recorder, television, or operate any amplifier of sound in such a manner as to be likely to disturb any member of the public therein or any person dwelling in the vicinity;
- (j) climb any tree, gate, fence or building;

- (k) erect any post, rail, fence, pole, tent (except in accordance with regulation 4), booth, stand, apparatus, screen, swing or structure (other than an umbrella) or make any closure of any part thereof;
- (l) practise gymnastics, play or prepare to play any game or promote or take part in any sport, entertainment or dance other than in a place where such activities are, by notice displayed thereon or in the vicinity thereto, declared to be permitted;
- (m) deposit or leave any dead animal, bird, fish or any parts thereof, any litter, house or trade refuse, or any turf, gravel, sand or other substance;
- (n) deposit or leave any bottle, tin container, broken glass or crockery, waste paper or other like article or thing, except in receptacles provided by the Minister for the purpose;
- (o) bring or use any device for generating electricity or create excessive illumination to annoy others;
- (p) operate any model power boat, vehicle or airplane other than in an area where the operation thereof is, by notice displayed therein or in the vicinity thereto, declared to be permitted;
- (q) throw any sand or throw or discharge any stone or other missile to the annoyance, danger or damage of any other person;
- (r) use any threatening, abusive, insulting or offensive words, gestures or behaviour.

Prohibition of camping in protected areas

4 No person shall, in any protected area—

- (a) camp in any area other than an area designated as a camping area;
- (b) camp except under the authority of and in accordance with the terms and conditions of a written permit to do so granted to him by the Minister;
- (c) dig or level the ground in an area designated as a camping area;
- (d) leave camping equipment and refuse in a camping area;
- (e) connect any apparatus or appliance to a public utility.

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Riding of horses in protected areas

5 (1) Subject to paragraph (2), no person shall, in any protected area—

- (a) take a horse other than on designated roadways or trails;
- (b) ride a horse in a manner likely to cause danger to any person therein;
- (c) ride a horse at a speed greater than fifteen kilometers per hour;
- (d) being in control of a horse leave the horse unattended when it is not properly tied to some suitable object, other than a tree or shrub;
- (e) lead from horse-back a riderless horse which is not appropriately bridled;
- (f) lunge or break in any horse;
- (g) ride a horse in excess of a slow walk when passing in the vicinity of other members of the public using the area.

5 (2) During the period—

- (a) 1st November to 30th April in any year no person shall take or ride a horse on Horseshoe Bay beach in the South Shore Park or on the beaches in John Smith's Bay Park and Elbow Beach Park but may take or ride a horse on all other public beaches below the high water mark at any time;
- (b) 1st May to 31st October in any year no person shall take or ride a horse on the beaches in South Shore Park, John Smith's Bay Park, Elbow Beach Park and Shelly Bay Beach Park but may take or ride a horse on all other public beaches below the high water mark between the hours of 5.00 a.m. and 8 a.m.

[Regulation 5 amended by BR 35/1994 effective 8 July 1995]

Dogs

6 No person shall, being the owner of, or in control of, a dog—

- (a) subject to paragraph (b), bring such dog unleashed on

to any protected area; or

- (b) bring such dog on to any public beach in a protected area during the period from the 1st April to the 31st October in any year; or
- (c) subject to paragraph (b), bring such dog on to any protected area using a leash greater than three metres in length; or
- (d) cause, permit or suffer such dog to annoy or disturb any person in any protected area.

Animals and fowls

7 No person shall, being the owner of, or in control of, any animal (including a fowl)—

- (a) cause or permit such animal to graze in a protected area;
- (b) cause or permit such animal to stray on to a protected area.
- (c) cause or permit such animal to disturb or take another animal (including birds, reptiles, fish or invertebrate animal) in a protected area;

No trading without permit

8 No person shall, in any protected area, except under the authority of or in accordance with the terms and conditions of a written permit granted to him by the Director—

- (a) sell or offer for hire any article, thing or animal or distribute any bill or like thing or place any chair or seat for hire;
- (b) solicit or demand gifts, money, goods or services.

Vehicles

9 No person shall, in a protected area—

- (a) ride or drive a vehicle in a manner likely to cause danger to any other person;
- (b) ride, drive or cause a vehicle to be ridden or driven at a speed greater than fifteen kilometers per hour;
- (c) ride or drive a vehicle on any part thereof other than a road or a place where such riding or driving is declared

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to be permitted by notice displayed thereon or in the vicinity thereto;

- (d) park any vehicle in any place other than a place where such parking is declared to be permitted by notice displayed thereon or in the vicinity thereto;
- (e) cause a vehicle to enter or exit any such area except through the designated access;
- (f) wash, clean or (except in the case of necessity) change any parts, repair or perform any maintenance on a vehicle;
- (g) ride or drive a vehicle into, or allow a vehicle or vessel to remain in, a protected area after such area has been closed to public use;
- (h) use such area or a facility thereof for any purpose other than for the purpose for which it was designed or designated.

Vessels

10 No person shall, being the owner of, or in control of, a vessel—

- (a) launch or use such vessel on a lake or pond in a protected area;
- (b) use such vessel in an area where such activities are, by notice displayed thereon or in the vicinity thereto, declared closed to vessels;
- (c) store any vessel in any protected area except in areas where the storage is declared to be permitted by notice displayed thereon or in the vicinity thereto;
- (d) use or drive such vessel in a manner likely to cause danger to any other person.

Fires

11 (1) No person shall, in a protected area, kindle, build, maintain or use a fire other than within a campstove or barbeque except under and in accordance with the terms and conditions of a written permit granted to him by the Minister, and such fire must be

continuously under the care and direction of a competent person over 16 years of age.

(2) Any fire permitted under paragraph (1) shall be thoroughly extinguished and properly disposed of at the conclusion of the period granted by the permit.

(3) This regulation shall not apply to the lighting, burning or smoking of a cigar, cigarette or pipe used for the smoking of tobacco provided that the cigar, cigarette or the contents of the pipe are thoroughly extinguished and properly disposed of after use.

Special permission

12 No person shall be deemed to contravene any of the provisions of these regulations by doing any act or causing, allowing, permitting or suffering any act to be done under the authority of and in accordance with a written permit granted to him under the hand of the Minister for the doing, causing, allowing, permitting or suffering of the act in question.

Vehicles left abandoned

13 (1) Any vehicle, vessel, tent or other thing left unattended or without the permission of an authorized officer in a protected area for more than 24 hours shall be deemed to be abandoned and may be impounded by an authorized officer.

(2) Any thing so abandoned which has been impounded by an authorized officer under paragraph (1) shall be held by the Department for 30 days and if any such thing is not claimed by the owner or a person authorized by the owner it may be disposed of by the Minister to defray expenses.

Reimbursement by owner

14 The Minister may claim reimbursement from the owner or agent of any abandoned thing for the cost of removal and storage thereof prior to the release of the thing, and the Department shall not be liable for any damage or deterioration incurred in the transport and storage of any such thing.

Entry fees

15 No person shall make use of or gain admittance to or attempt to make use of or gain admittance to any facility in a protected area for which there is a charge, unless he pays the prescribed charge.

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Offences and penalties

16 Any person who contravenes any provision of these regulations, by virtue of section 26 of the Act commits an offence against the Act and sections 27, 28 and 29 of the Act apply

Revocation

17 [omitted]

[Amended by
BR 35/1994]