

LEGAL SUPPLEMENT

To the government Gazette of Mauritius No. 61 of 1 June 1996

Government Notice No. 44 of 1996

THE WILDLIFE AND NATIONAL PARKS ACT 1993

Regulations made by the Minister under section 30 of the Wildlife and National Parks Act 1993

1. These regulations may be cited as the National parks and Reserves Regulations 1996.
2. In these regulations –
 - “Act” means the Wildlife and National Parks Act 1993; “drive” includes ride;
 - “marine reserve” means any reserved land declared as such under section 11 (1) of the Act;
 - “road” means any road that may be used by a vehicle and includes any parking area for vehicles;
 - “vehicle” means any mechanical means of transportation on land;
 - “vessel” includes any boat, ship, machine, craft or other conveyance capable of being used on, under or immediately above the surface of water.
3. Except with the permission of the Director, no person shall, on any reserved land
 - (a) take or have in his possession any form of wildlife or wildlife product;
 - (b) be in possession of any hunting equipment, explosive or other device or substance which may be used to frighten or injure wildlife;
 - (c) lay or set any trap or snare or deposit any poisonous substance;
 - (d) interfere with the nest, breeding place, or habitation of any form of wildlife;
 - (e) intentionally rouse or disturb any form of wildlife
 - (f) take, damage or otherwise interfere with, a growing or standing plant;
 - (g) collect or take any flower or seed of any plant
 - (h) be in possession of any implement capable of being used to damage, dig up, cut or destroy any plant;
 - (i) plant or propagate any seed or plant.
4. Notwithstanding paragraph (1) (f) and (g), a person may –
 - (a) pick, collect or have in his possession the fruit or any plant specified in the Schedule;
 - (b) have in his possession such fruit as he may have brought with him for his consumption.

5.
 - (1) Except with the permission of the Director, no person shall introduce any animal or plant or in any way cause any animal or plant to be introduced into, or remain on, any reserved land;
 - (2) Any person who becomes aware that he has caused any animal or plant to be introduced without authority into any reserved land, shall –
 - (a) take all reasonable steps to remove the animal or plant from the reserved land;
 - (b) immediately notify the Director of the matter.
6. Except with the permission of the Director, no person shall destroy, damage, efface, move or otherwise interfere with any building, fence, gate, notice, sign, marker, post, buoy, mooring, cairn, structure or other work erected or placed on any reserved land.
7.
 - (1) Except with the permission of the Director, no person, other than an officer, shall light or cause a fire to be lit on any reserved land except in a fireplace provided for that purpose.
 - (2) Any person who lights a fire in such a fireplace shall –
 - (a) take all reasonable steps to prevent the fire from spreading;
 - (b) not leave the fire unattended; and
 - (c) extinguish the fire as soon as it is no longer required for any purpose or it starts spreading.
 - (3) No person shall, on any reserved land, use or discard in a manner likely to cause a fire, any match, burning or smouldering material or any inflammable substance.
 - (4) In this regulation, the expression “lighting a fire” does not include lighting in a reasonable manner, a stove fuelled by gas or petroleum, or a barbecue apparatus fuelled by gas or charcoal.
8.
 - (1) The Director may establish or designate camping areas on any reserved land.
 - (2) The Director may cause to be displayed signs or notices on any reserved land prohibiting or restricting the use of any site within any camping area.
 - (3) Any person who uses a site within a camping area on any reserved land in breach of a prohibition or restriction contained in a sign or notice displayed under paragraph (2) shall commit an offence.
 - (4) No person shall, except in an established or a designated camping area, camp within 100 metres of a road on any reserved land.

- (5) An officer may, for the purpose of regulating the use of any site or place on any reserved land, give directions to any person regarding –
 - (a) the use of such site or place for camping or the use or occupation of any tent, building, hut, or other structure; and
 - (b) the disposal of any object related to such use or occupation.
 - (6). Any person who uses or intends to use a site or place on any reserved land as a camping place shall comply with any direction given by an officer under paragraph (5).
9. No person shall, on any reserved land, deposit or leave any rubbish, litter or other object except in a receptacle or place provided for that purpose.
10. (1) Except with the permission of the Director, no person shall drive or use any vehicle on any reserved land otherwise than on a road provided for that purpose.
- (2) The Director may cause signs or notices to be displayed on any reserved land prohibiting or restricting the driving, using or leaving of vehicles on that land.
- (3). No person shall drive, use or leave a vehicle on any reserved land in contravention of a prohibition or restriction contained in a sign or notice displayed under paragraph (2).
- (4) Except with the permission of the Director, no person shall drive or use a vehicle on a road or track on any reserved land that has been closed by barrier erected by or under the authority of the Director.
- (5) An officer may, for the purpose of –
 - (a) regulating the use of any road within any reserved land;
 - (b) avoiding inconvenience or risk of danger to persons having access to any reserved land;give directions to any person driving or in charge of a vehicle and that person shall forthwith comply with those directions.
- (6) Except with the permission of the Director, no person shall drive, tow, park or use any vehicle on any reserved land where the vehicle contains any hunting equipment or any cat, dog, domestic livestock, rabbit or any animal.
- (7) Any person who contravenes any of the provisions of paragraph (1), (3), (4), (5) and (6) shall commit an offence.

11. (1) The Director may cause signs or notices to be displayed at or near any watercourse, river, stream, lake, pond or pool within any reserved land prohibiting or restricting the use, or giving directions with respect to the use, of vessels thereon.
 - (2) An officer may, for the purpose of –
 - (a) regulating the use of vessels under paragraph (1);
 - (b) avoiding inconvenience or risk of danger to persons having access to any reserved land.

Give directions to any person and that person shall comply forthwith with those directions.
 - (3) Any person who uses a vessel on water within any reserved land and contravenes
 - (a) a prohibition or restriction contained in a sign or notice displayed under paragraph (1).
 - (b) any directions contained in a sign or notice so displayed
 - (c) any directions given by an officer under paragraph (2), shall commit an offence.
 - (4) Notwithstanding paragraphs (1) and (2), no person shall take any vessel into or allow any vessel to pass into or use any vessel within any marine reserve without the permission of the Permanent Secretary.
11. (1) Except with the permission of the Permanent Secretary, no person shall, except in the case of emergency, land an aircraft on or take off an aircraft from any place in any reserved land.
 - (2) No person shall –
 - (a) drop any article from an aircraft onto any reserved land;
 - (b) fly an aircraft over any reserved land for the purpose of enabling any article to be dropped there from onto that land.
- 12 (1) Except with the permission of the Director, no person shall, in any reserved land –
 - (a) dam up, divert, or pollute any waters;
 - (b) interfere with, dig up, cut up, collect, or remove any sand, gravel, clay, mud, rock, mineral, coral or any pole, timber, firewood, humus or other natural substance.

- (2) Notwithstanding regulation 3 (2), the Director may, on payment of such fee as may be approved by the Minister, grant a permit to authorize the cutting and removal of any part of any non-indigenous species of plant.
- (3) Except with the permission of the Director, no person shall on any reserved land –
 - (a) remove, damage, deface, or disturb any brick, glass, coin, masonry, ceramics, ancient relic or any object of architectural archeological, historical, geomorphological or scientific interest;
 - (b) damage, deface or otherwise interfere with by writing or marking in any way, any plant, rock or other natural materials;
 - (c) remove, damage, or deface any rock, stalactite, stalagmite or other information in a cave, situated, found or placed on that land.
- (4) Except with the permission of the Permanent Secretary, no person shall, on any reserved land –
 - (a) erect any building or structure, other than a tent;
 - (b) erect, exhibit or display any notice or sign or any bill, poster or advertisement;
 - (c) make or mark out any track or route;
 - (d) erect any cairn or any memorial of any kind;
 - (e) take any photograph or make any movie or video for a commercial purpose other than that of reporting news.
- (5) No person shall, on any reserved land –
 - (a) deposit or bury the dead body of any creature;
 - (b) deposit, discharge or leave any offal, filth, dung, or any other noxious or polluting matter or thing;
 - (c) deposit any vehicle carcass or part thereof.
13. Except with the authorization of the Permanent Secretary, no person shall enter into or remain in any marine reserve or any other reserved land where a sign is displayed prohibiting or restricting public access, otherwise than in a manner authorized by that sign.
14. No person shall, on any reserved land –
 - (a) behave in a violent, riotous, offensive or indecent manner;
 - (b) insult or annoy any person;
 - (c) make any loud noise; or
 - (d) play at a high volume or at a volume above that allowed by an officer, any radio, musical instrument or other device capable of generating noise.

15. No person shall play or engage in any ball game, except in such areas as may be designated by the Director.
16. (1) The Director may, with the approval of the Minister, impose charges for –
- (a) admission to any reserved land or to any building situated therein.
 - (b) the use of any hut, building or other structure or any equipment within reserved land;
 - (c) the provision of any service or assistance to any visitor to reserved land;
 - (d) the issue of any permit or grant of any authority.
- (2) Any person to whom a payment is made under paragraph (1) shall issue an official receipt and shall commit an offence where he fails to do so.
- (3) Any person authorized by the Director to collect the charges specified in paragraph (1) may require the driver of a vehicle on a road on reserved land to stop the vehicle for the purpose of enabling him to collect the charges or to check that the charges have been paid.
- (4) The driver of a vehicle who fails to comply with a requirement under paragraph (3) shall commit an offence.
- (a) The driver of a vehicle who fails to comply with a requirement under paragraph (3) shall commit an offence.
- (5) Any person who fails to pay any charge –
- (a) payable, under paragraph (1) (a), for admission to any reserved land or any building situated thereon; or
 - (b) payable, under paragraph (1) (b), for the use of any hut, building or other structure or any equipment.

shall commit an offence.

17. An officer may
- (a) pull down or remove any building, structure or other item erected or placed within reserved land without lawful authority;
 - (b) seize and take charge of and remove to..... away or cause to be removed or towed away, any vehicle or vessel which the officer has reasonable grounds to believe –
 - (i) is a danger or an unreasonable obstruction to traffic or navigation;
 - (ii) is unattended and has been abandoned on reserved land

18. An officer may refuse admission to, or request any person to leave any reserved land who in his opinion –
- (a) is intoxicated or is in such a condition as would be likely to be offensive or to cause annoyance to persons having access to the reserved land;
 - (b) has caused or is likely to cause disturbance to wildlife on the reserved land; or
 - (c) is contravening or has contravened any of these regulations.
19. (1) No person shall, without the permission of the Permanent Secretary, in a marine reserve –
- (a) be in possession of any fishing equipment or practise any type of fishing;
 - (b) disturb, take or otherwise interfere with any animal, coral, shell, plant or any other marine organism, whether dead or alive;
 - (c) swim or dive;
 - (d) conduct or carry out research or survey work.
- (2) Subject to section 112 of the Criminal Code (Supplementary) Act, no person shall, without the permission of the Permanent Secretary, in a marine reserve, carry out any kayaking, boating, water-skiing, windsurfing or any related activities.
20. Any person in charge of any vessel authorized to enter or to be used in a marine reserve under regulation 10 (4) or regulation 19 (d), shall –
- (a) utilize only passages demarcated for entry to the marine reserve;
 - (b) maintain the minimum speed required to make steerage way;
 - (c) moor the vessel only at a place designated for that purpose; and
 - (d) not drop anchor or use poles or other devices for mooring purposes or as a means of propulsion.
21. An officer may –
- (a) remove or cause to be removed any animal introduced without authorization;
 - (b) seize and dispose of any animal found straying;
 - (c) dispose of any plant introduced without authorization, on any reserved land.
22. Any person who copies, publishes or otherwise uses any symbol adopted by the National Parks and Conservation Service or any device which closely resembles that symbol without the written authorization of the Director shall commit an offence.

Made by the Minister on 3 April 1996.

SCHEDULE
(regulation 3)

SPECIES OF NON-INDIGENOUS PLANTS

Common Name	Scientific Name
Chinese (or strawberry)	<i>Psidium cattleianum</i>
Guava (goyave de Chine)	
Jamblong	<i>Syzygium cumini</i>
Prune malgache	<i>Flacourtia indica</i>
Rose-apple (la jamerosa)	<i>Syzygium jambos</i>
Rousaille (la rousaille)	<i>Eugenia uniflora</i>
Vavangue	<i>Vangueria madagascariensis</i>
Wild pepper (poivrier marron)	<i>Schinus terebenthifolius</i>
Wild raspberry (framboise marron)	<i>Rubus alcaefolius</i> (syn. <i>Roridus</i>)
Wild raspberry (framboise)	<i>Rubus rosifolius</i>