

CONSOLIDATED TO 30 JUNE 2012

LAWS OF SEYCHELLES

CHAPTER 141

NATIONAL PARKS AND NATURE CONSERVANCY ACT

[15th December, 1969]

Act 16 of 1969.
Act 14 of 1970.
SI. 95 of 1975.
SI. 72 of 1976.
Act 23 of 1976.
Act 7 of 1973.
Act 19 of 1982.
Act 5 of 1986.

ARRANGEMENT OF SECTIONS

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1 This Act may be cited as the National Parks and Nature Conservancy Act.

2 In this Act unless the context otherwise requires -

"Area of Outstanding Natural Beauty" means an area set aside by reason of its natural beauty or other special characteristics for its preservation and maintenance for the benefit, advantage and enjoyment of the general public;

"building", "building operations", "development", "develop", "land" and "the planning authority" have the meanings respectively ascribed to them in the Town and Country Planning Act;

"the Commission" means the Seychelles National Environment Commission established under section 3 and includes the Minister acting under the powers conferred in section 12;

"environment" includes the wild life of the environment;

"Honorary Park Warden" means any person appointed as an Honorary Park Warden under clause 6 of Schedule I;

"National Park" means an area set aside for the propagation, protection and preservation of wild life or the preservation of places or objects of aesthetic, geological, prehistoric, historical, archeological or other scientific interest for the benefit, advantage and enjoyment of the general public and includes in the case of a Marine National Park an area of shore, sea or sea-bed together with coral reef and other marine features so set aside;

"officer of the Commission" means any person appointed as officer of the Commission under clause 6 of Schedule I.

"the regulations" means regulations made under section 16.

"Special Reserve" means an area set aside in which characteristic wild life requires protection and in which all other interests and activities are subordinated to this end;

"Strict Natural Reserve" means an area set aside to permit the free interaction of natural ecological factors without any outside interference excepting that deemed indispensable for the safeguard of the very existence of the reserve;

"wild life" includes all animals whether on land or in the sea, plants together with the biotopes necessary for their survival and coral.

3 (1) There shall be established a commission to be known as the Seychelles National Environment Commission which shall be constituted and shall operate as provided under Schedule 1.

(2) shall be a body corporate and shall be capable of suing and being sued, of purchasing, holding and alienating land, or receiving, holding or disposing of moneys paid to them by grant or otherwise for the purpose of defraying expenses incurred in carrying out the objects and provisions of The Commission this Act, and generally of doing and performing all such acts and things as a body corporate may do and perform, subject to the provisions of this Act and of any law for the time being in force.

(3) The functions of the Commission shall be -

- (a) to draw up national policy for the environment and to keep that policy under review and revise it from time to time as necessary;
- (b) to keep under review all written laws concerning the environment and its conservation and management;
- (c) to coordinate all activities in Seychelles, including activities of the Government, concerned with conservation or management of the environment;
- (d) to promote public education and participation in the study and conservation of the environment;
- (e) to co-operate with other countries of the Indian Ocean region in the conservation and management of the environment and living resources of the region;
- (f) to co-operate with international organisations for the conservation or management of the environment or its living resources;
- (g) the functions given to it by or under this Act; and
- (h) to undertake such other activities in furtherance of these functions as the Minister may allow by order published in the Gazette.

(4) In carrying out its functions the Commission shall have regard to the 3 main objectives of environmental conservation set out in Schedule 2, being those stated in the World Conservation Strategy prepared by the International Union for the Conservation of Nature and Natural Resources (IUCN).

4 (1) The Minister may from time to time after consultation with the Commission give to it directions in writing of a general character, not being inconsistent with this Act, with respect to the performance of the functions under this Act.

(2) The Commission shall give effect to directions given by the Minister under subsection (1).

(3) Nothing in this section authorises the Minister to give a direction in respect of a particular case.

5 The Commission may, with the approval of the Minister, by order published in the Gazette, from time to time designate any area as a National Park, a Strict Natural Reserve, a Special Reserve or an Area of Outstanding Natural Beauty.

6 A proposal by the Commission to designate an area as a National Park, a Strict Natural Reserve, a Special Reserve or an Area of Outstanding Natural Beauty shall be submitted to the Minister in accordance with the provisions of the regulations, which inter alia shall provide for the deposit of maps at a convenient place for inspection by the public and the consideration of representations made by or on behalf of the owners or other persons having an interest in the area affected.

7 The Commission may enter into agreements with any owner or other person having an interest in an area which is to be or has been designated as a National Park, a Strict Natural

Reserve, a Special Reserve or an Area of Outstanding Natural Beauty with the object of securing the purposes of this Act.

8 Whenever the Minister is satisfied that it is necessary or expedient to acquire any land in Seychelles for the purpose of establishing all or part of a National Park, a Strict Natural Reserve, a Special Reserve or an Area of Outstanding Natural Beauty, or for the purpose of providing access thereto, such land may be compulsorily acquired in the national interest by the Republic on behalf of the Commission under the provisions of the Lands Acquisition Act.

9 The Commission may make arrangements to provide facilities within any area designated as a National Park or as an Area of Outstanding Natural Beauty for the enjoyment of such area by the general public and for the scientific study and management of the area and such facilities may include -

- (a) the provision of accommodation, rest houses, meals and refreshments, and facilities for recreation;
- (b) the provision of camping sites;
- (c) the provision of vehicle parking places;
- (d) the provision of means of access;
- (e) the setting aside of areas and the carrying out of works for the protection or display of any species of flora or fauna, including those located in marine areas and reefs;
- (f) the establishment of research stations;
- (g) the promotion of the general purposes of this Act.

10 In any area designated as a Strict Natural Reserve -

- (a) any form of hunting or fishing, any undertaking connected with forestry, agriculture or mining, any grazing, any excavations, or prospecting drilling, levelling of the ground or construction, any work involving the alteration of the configuration of the soil or the character of the vegetation, any water pollution, and generally, any act likely to harm or disturb the fauna or flora, and the introduction of any exotic animal or plant species is strictly forbidden;
- (b) it is forbidden to reside, enter, traverse, camp, fly over at low altitude and undertake scientific or other similar investigations, without the permission of the Commission.

11 The planning authority shall for the purposes of the Town and Country Planning Act, consult with the Commission regarding any development within any area so designated and in the event of any dispute as to the manner in which an application for development shall be treated the matter shall be referred to the Minister whose decision shall be final.

12 The Minister may, at any time, revise a decision of the Commission, and in such a case he may confirm, vary or reverse the decision of the Commission and exercise all the powers of the Commission under this Act, and his decision shall be final.

13 Any person -

- (a) who acts in contravention of any provision of section 10; or
- (b) who commences or carries out development of any land within any area designated as a National Park, a Special Reserve or an Area of Outstanding Natural Beauty in contravention of the Town and Country Planning Act, as made applicable to such area by section 11 of this Act; or
- (c) who does any act which is prohibited under the provisions of the regulations;
- (d) is found wandering in a National Park, Special Reserve or an Area of Outstanding Natural Beauty and who fails to give a satisfactory account to the court of why he is wandering about in the Park, Reserve or Area,

shall be guilty of an offence and liable to a fine of two thousand rupees and to imprisonment for one year, and in the case of continuing offence to a further penalty of five hundred rupees for each day during which the offence continues.

14 Any Honorary Park Warden or any officer of the Commission or police officer may arrest-

- (i) any person whom he shall find committing any offence under this Act;
- (ii) any person committing any offence under the following Acts or regulations made thereunder:-
 - (a) The Fisheries Act;
 - (b) The Wild Animals and Birds Protection Act; or
 - (c) The Birds Eggs Act.

15 Whenever there shall be reasonable ground to suppose that any boats, nets spearguns or other vessels or articles have been used in or about the commission of any offence under this Act or the Regulations or under any of the Acts listed in section 14 or any regulations made thereunder, it shall be lawful for any Honorary Park Warden or any officer of the Commission or Police officer to seize such boats, nets, spearguns or other vessels or articles.

(2) All such seizure shall be immediately reported to the officer in charge of the nearest police station who shall thereupon issue such directions as may be deemed necessary.

16 The Minister may make regulations generally for carrying out the objects and provisions of this Act and, in particular, but without prejudice to the generality of the foregoing power such regulations may -

- (a) prescribe procedure, forms and fees;
- (b) amend, add to or vary the schedules;
- (c) provide for the efficient management of any area set aside as a National Park, a Strict Natural Reserve, a Special Reserve or an Area of Outstanding Natural Beauty;
- (d) provide for the protection of wild life;

- (e) create offences and provide that contravention of or failure to comply with any such regulations shall be an offence and prescribe for such offences maximum penalties not exceeding two thousand rupees and one year imprisonment.

SCHEDULE 1

CONSTITUTION AND OPERATION OF COMMISSION

1. The Minister shall be Chairman of the Commission, which shall be composed of such members, not less than 5, as the Minister may by notice in the Gazette appoint.
2. In the case of death, absence from Seychelles, resignation, revocation of appointment or incapacity to act of the Chairman or of any member of the Commission or when a vacancy arises from any other cause, the Minister may make the necessary appointment to fill the vacancy either temporarily or permanently; Provided that when the Chairman is absent from any meeting or a vacancy arises in the chairmanship and no new appointment has been made, the members of the Commission may choose one of their number to preside at the meeting.
3. Three member of the Commission shall form a quorum.
4. The Commission shall have meetings at least six times in any one calendar year and shall also hold a meeting when so directed by the Minister.
5. A decision of the Commission shall be taken on a majority of the votes of the members of the Commission present and voting, but on any matter in which the votes are equally divided the Chairman, or in his absence, the member of the Commission presiding at the meeting shall have a second or casting vote.
6. The Commission may, with the approval of the Minister, appoint Secretary to the Commission and may appoint such number of other officers and servants as the Minister may determine, who may receive such fees, salaries, or other remuneration from public funds as shall also be determined by the Minister.
7. A decision of the Commission shall be authenticated under the hand of the Secretary to the Commission.
8. At any time when so requested and in any event not less than once a year the Commission shall render a full report to the Minister of all transactions carried out in the preceding paragraph and of all other action taken for the purposes of this Act.

SCHEDULE 2

Section 3(4)

MAIN OBJECTIVES OF ENVIRONMENTAL CONSERVATION

[as stated in the World Conservation Strategy prepared by the International Union for the Conservation of Nature and Natural Resources (IUCN)]

a. to maintain essential ecological processes and life-support systems (such as soil regeneration and protection, the recycling of nutrients, and the cleansing of waters), on which human survival and development depend;

b. to preserve genetic diversity (the range of genetic material found in the world's organisms), on which depend the functioning of many of the above processes and life-support systems, the breeding programmes necessary for the protection and improvement of cultivated plants, domesticated animals and microorganisms, as well as much scientific and medical advance, technical innovation, and the security of the many industries that use living resources;

c. to ensure the sustainable utilization of species and ecosystems (notably fish and other wildlife, forests and grazing lands), which support millions of rural communities as well as major industries.



LAWS OF SEYCHELLES

SI. 21 of 1973
SI. 35 of 1987
SI. 43 of 1997

NATIONAL PARKS AND NATURE CONSERVANCY ACT

CHAPTER 141

SUBSIDIARY LEGISLATION

Section 5

The National Parks (Ste. Anne Marine) (Designation) Order

[19th March, 1973]

- 1 This order may be cited as the National Parks (Ste. Anne Marine) (Designation) Order.
- 2 The area described in the Schedule hereto is hereby designated as a National Park.

SCHEDULE

An area comprised within the following boundaries:-

Commencing at a navigational buoy situated at latitude South 4° 36 36', longitude East 55° 29 36', as shown on Admiralty Chart No. 722, the boundary runs for approximately 2,800 feet on a true bearing of 34° and thence for approximately 4,200 feet on a true bearing of 53° to a point at sea 800 feet to the north of the northernmost point of Ile Ste. Anne.

Thence for approximately 5,000 feet on a true bearing of 112° to a point at sea 1,000 feet east-north-east of Battery Point.

Thence for approximately 10,250 feet on a true bearing of 180° to a point at sea 1,000 feet east of the easternmost point of Ile Longue.

Thence for approximately 2,3000 feet on a true bearing of 201° and for approximately 3,900 feet on a true bearing of 209° to a point at sea 1,150 feet south east of Ile Cachee.

Thence for approximately 2,500 feet on a true bearing of 270° and for approximately 2,200 feet on a true bearing of 296° and for approximately 3,500 feet on a true bearing of 313° to a point at sea 1,100 feet west-south-west of the most westerly point of Ile aux Cerfs.

Thence for approximately 3,000 feet on a true bearing of 331° and for approximately 7,000 feet on a true bearing of 13° to the navigation buoy, the point of Commencement.

The area enclosed within the boundary lines described above is shown bordered blue on a map at scale 1 : 10,000 registered in Register No. A35 No. 1986 on 28th January, 1972.

The National Parks and Nature Conservancy

SI. 99 of 1975
SI. 77 of 1987
SI. 6 of 1990

(Special Reserve Aride Island) (Designation Order)

[17th November, 1975]

1 This Order may be cited as the National Parks and Nature Conservancy (Special Reserve Aride Island) (Designation Order).

2 Aride Island, the location and boundaries whereof are Special specified on a map registered in Register A36 No. 368 deposited in the office of the Director of Surveys, is hereby designated as a Special Reserve.

The National Parks and Nature Conservancy

(Designation of Special Reserve) (Cousin Island) Order

SI. 100 of 1975
SI. 77 of 1987
SI. 6 of 1990

[17th November, 1975]

1 This Order may be cited as the National Parks and Nature Conservancy (Designation of Special Reserve) (Cousin Island) Order.

2 Cousin Island, the location and boundaries whereof are specified on a map registered in Register A36 No. 382 deposited in the office of the Director of Surveys, is hereby designated as a Special Reserve.

National Parks (Morne Seychellois) (Designation) Order

SI. 53 of 1979

[11th June, 1979]

1 This Order may be cited as the National Parks (Morne Seychellois) (Designation) Order.

2 The area described in the Schedule is hereby designated as a National Park.

SCHEDULE

The area comprised within the following boundaries - Starting at the mouth of the Moustache River in a straight line to Poulalier Triangulation Station and then in a straight line to the highest point of Bernard Hill (U.T.M. Co-ordinates E 322760, N4988810); from here in a straight line to the highest point on Six Penny Hill and then to the northernmost point of State Land as defined in TB10, No. 113. Thence along a line as defined by old TB plans and modern cadastral surveys to a point east of Les Trois Freres on the surveyed boundary defined in TB10, No.100. The exact point can be defined by the intersection of this boundary and the westward extension of the boundary between properties defined in TB19 No.40 and TB15 No. 20. Then along a line defined in cadastral folio VD431 to BCNF and from this point in a straight line to beacon J981 as defined on cadastral folio VD970; it then follows this boundary westwards, as defined in VD970 and then along the westward extension of this boundary to a point on the eastern side of the forestry road, thence along this edge of road to beacon NP23, and then in a straight line to beacon CD80 at the visible source of the Quenet River. It then follows a straight line to beacon NPS 1 situated on the old Foret Noire Road. Then along the western edge of this road southwards and then westwards to beacons F and A as defined on TB21 and 59 then to beacons A and B as defined on TB22 No.

10. (Beacon B is also named BCN C on the cadastral survey of parcel V43). Then following the eastern, northern and western boundaries of parcel V43 to BCN H of the same parcel and then along the production of the boundary through BCN H across the Sans Souci Road to its southern edge and then along this edge until it reaches the boundary of parcel V812 and then around the southern boundary of this property to rejoin the road. Then following the edge of the road to the boundary of V797 following the northern, western and southern perimeter of the block, formed by parcels V797 and V798 to rejoin the main road. It then follows the edge of the road northwards for a short distance to strike the boundary line defined in TB23 No.25 at the point where the western edge of the road intersects the line between beacons C and D on this plan. It continues from this point to D M and G as defined on TB23 No.25 to reach X on TB23 No.26 (also shown as X on the cadastral survey of parcel V130) and then to R,T and U, all defined on the folio of parcel V130 and then southwards along the boundary line defined in the cadastral folio VD1000 to the beacon AX3 of parcel V255 and then along the western boundary of the Fair View Estates to beacon AH77 of parcel V204. Turning southwards, it passes through beacons M827 and M828 of parcel B65 and then follows the boundary defined in cadastral folio BD184 to a point D, common to BD184 and parcel B75. It then follows the northern, western and southern boundaries of parcel B75 to a beacon MB825, then in a straight line from MB825 to beacon AF70 of parcel B17 and then southwards along the boundaries of parcels B17 and B18 (the eastern edge of the Old La Misere Road) to where the old road meets the northern edge of the new La Misere Road (theoretical point 'g' of parcel B18). From this point g, it runs southwards along the western edge of the La Misere Road to reach parcel B 8B and then follows the line of beacons AF42, AF43, AF45, of parcel B 8B back to the northern edge of the road at the theoretical point C of the same parcel. It then follows westwards and southwards along the edge of the edge of the road until it reaches parcel B70 and then along the northern and western boundaries of this parcel back to the northern edge of the La Misere Road at the theoretical point b of parcel B70. It now runs westwards along the La Misere Road to a theoretical point TH 1 (U.T.M Co-ordinates, E328,590 N9,483,440) then in a straight line to the southernmost point of the Tea Estate defined on TB23 No.65 then along the western boundary of this estate to its westernmost point. It then follows the Forest Reserve boundary westwards to a point defined on TB15 No.87 approximately 330 metres north of the main road between Port Glaud and Grand Anse. It then runs northwards along the boundary defined in TB15 No.87 to its northernmost point C. Then to beacon D and C of parcel B4 and then in a straight line to A, the easternmost point of the boundary line defined in cadastral folio BA/2 and then in a northwesterly direction on a straight line to a theoretical point TH2 (U.T.M. Co-ordinates, E325,790, N9485,280) which lies on the northwest boundary of the area of land defined in TB14 No.242 approximately 350 metres from beacon MA561 of parcel B36. It then runs along the northern boundary of parcel B36 to MA559 and then in a straight line to MA529 of parcel J145 and then to MA 526 of the same parcel. It then runs northwestwards along the boundary defined by the cadastral folio JD171 to M218 of parcel J86. It then follows the surveyed boundary of parcel J86 through beacons M239, M196, M216, M202, M235 and M111 to the sea. It then follows the foreshore in a clockwise direction back to the starting point at the mouth of the Moustache River.

The area so enclosed is 7525 acres in size and is represented on a plan deposited in the office of the Director of Surveys and filed as ML/ADN/33.

National Parks (Baie Ternay Marine) (Designation) Order.

[11th June, 1979]

SI. 54 of 1979

1 This Order may be cited as the National Parks (Baie Ternay Marine) (Designation) Order.

- 2 The area described in the Schedule is hereby designated as a National Park.

SCHEDULE

The area comprised within the following boundaries - Starting at A (318920 E, 9487270 N) the northernmost tip of Ternay Bluff, the boundary proceeds in a northeasterly direction to B (319650 E 9488010 N) the westernmost tip of Cap Ternay Estate for a distance of approximately 1040 metres thence following the high water mark around the bay, in a clockwise direction through Anse Du Riz and Cap Ternay to A, the point of commencement.

All Co-ordinates are expressed to the nearest 5 metres on U.T.M. Zone 40.

The area so enclosed is represented on a map held in the office of the Director of Surveys and filed as ML/ADN/45.

National Parks (Curieuse Marine) (Designation) Order

SI. 55 of 1979

[11th June, 1979]

- 1 This Order may be cited as the National Parks (Curieuse Marine) (Designation) Order.
- 2 The area described in the Schedule is hereby designated as a National Park.

SCHEDULE

The area comprised within the following boundaries - Starting at A (355760 E 9526150 N), the northernmost tip of Pointe Chevalier the boundary proceeds in a northeasterly direction to B (357070 E 9527500 N), a point 200 metres North-West of Roche Canon, off Curieuse Island, thence to C (357950 E 9527670 N), a point of 200 metres North of the northernmost point of Curieuse Island, thence to D (360740 E 9527500N), a point 200 metres North of Rouge Point, thence to E (360970 E 9527250 N), a point 200 metres East of Rouge Point, thence to F (361360 E 9524580 N), the easternmost point of St. Pierre Islet, thence to G (360880 E 9523770 N), the northernmost point of Chauve Souris Island, thence in a westerly direction to H (360300 E 9523760 N), a point on the Praslin mainland, on the eastern coast of Pointe Zanquilles promontory, thence westwards along the coast of Pointe Zanquilles, Anse Petit Cour, Anse Possession, Baie Pasquiere, Anse Takamaka, Anse Boudin to the starting point.

All Co-ordinates are expressed to the nearest 5 metres on U.T.M. Zone 40.

The area so enclosed is represented on a map held in the Office of the Director of Surveys and filed as ML/ADN/46.

National Parks (Port Launay Marine) (Designation) Order

SI. 56 of 1979

[11th June, 1979]

- 1 This Order may be cited as the National Parks (Port Launay Marine) (Designation) Order.

- 2 The area described in the Schedule is hereby designated as a National Park.

SCHEDULE

The area comprised within the following boundaries - Starting at A, E320110m N9486045m, the most southerly point of Ternay Bluff, the boundary proceeds eastward following High Water Mark, in a clockwise direction to B, E321740m N9485245m, the most westerly point of Pte L'Escalier; thence in a straight line for approximately 1815 metres in a direction approximately W.N.W. to the starting point A. All Co-ordinates are expressed to the nearest 5 metres on U.T.M. Zone 40.

The area so enclosed is approximately 390 acres in size and is represented on a plan deposited at the Office of the Director of Surveys and registered red in Register A35 No.3850.

National Parks (Praslin) (Designation) Order

SI. 57 of 1979

[11th June, 1979]

- 1 This Order may be cited as the National Parks (Praslin) (Designation) Order.
- 2 The area described in the Schedule is hereby designated as a National Park.

SCHEDULE

The area is 800 acres in size and is represented on a plan deposited in the office of the Director of Surveys and filed as ML/ADN/32.

The area comprises of the three following sections:

- (i) An area of 776.8 acres, surveyed as parcel PR232 and registered in Register A.36 No.2440.
- (ii) An area of 17.6 acres surveyed as parcel PR4 and registered in Register A34 No.877. This area is completely surrounded by parcel PR232.
- (iii) That area of the Praslin Trans-Island road passing through parcel PR232, totalling 5.2 acres and being Domaine Public.

National Parks (Special Reserve Aldabra) (Designation) Order

SI. 86 of 1981
SI. 77 of 1988
SI. 6 of 1990

[21st September, 1981]

- 1 This Order may be cited as the National Parks (Special Reserve Aldabra) (Designation) Order.
- 2 The group of islands constituting the atoll of Aldabra, together with the bed of and sea in the lagoon and the sea and sea floor within 1 km from the high water mark, (being the area specified in plan number ML/ADN/60 filed in the Office of the Director of Surveys) is designated as a Special Reserve:

(being in terms of section 2 of the Act, an area set aside in which characteristic wild life requires protection and in which all other interests and activities are subordinated to this end).

National Parks (Silhouette Marine) (Designation) Order

[26th October, 1987]

SI. 74 of 1987
SI. 77 of 1988
SI. 6 of 1990

- 1 This Order may be cited as the National Park (Silhouette Marine) (Designation) Order.
- 2 The area described in the Schedule is designated as the Silhouette Marine National Park.

SCHEDULE

An area comprising of the reef and sea surrounding Silhouette Island which lies in latitude 4 degrees 29 minutes South and longitude 55 degrees 14 minutes East extending for a distance of 1000 meters from the high water mark.

The area is shown on a map referenced ML/ADN/69 filed in the office of the Director of Surveys.

NATIONAL PARKS (LA DIGUE VEUVE SPECIAL RESERVE) (DESIGNATION) ORDER

SI. 8 of 1991

1. This order may be cited as the National Park (La Digue Veuve Special Reserve) (Designation) Order.
2. The area described in the Schedule is hereby designated as a Special Reserve.

SCHEDULE

The area has an extent of 7.817 hectares and is situated at Anse La Reunion, La Digue, bordering the south side of the public road from La Passe to Grand Anse, and demarcated on the ground by survey beacons: MH566, MH488, G213 and Coral 1.

The area is represented on a survey plan which is deposited in the Office of the Director of Surveys and filed as ML/ADN/114.

SECTIONS 6 AND 16

**THE NATIONAL PARKS AND NATURE CONSERVANCY
(PROCEDURE FOR DESIGNATION OF AREAS) REGULATIONS**

SI. 110 of 1971
SI. 95 of 1975
SI. 72 of 1976

[25th October, 1971]

- 1 These regulations may be cited as the National Parks and Nature Conservancy (Procedure for Designation of Areas) Regulations.

2 Where the Commission proposes to designate any area as a National Park, a Strict Natural Reserve, a Special Reserve or an area of Outstanding Natural Beauty, it shall cause to be prepared a map showing the location of the said area and the boundaries thereof and shall publish in an issue of the Gazette and of a local newspaper in each three successive weeks a notice which shall contain the information specified in regulation 3.

3 The said notice shall -

- (a) describe the area;
- (b) name a place or places where a copy of the map relating to the said area may be inspected without payment of fee and notify the times during which such inspection may be made;
- (c) state that the Commission proposes to submit for the approval of the Minister an order designating the said area as a National Park, a Strict Natural Reserve, a Special Reserve or an Area of Outstanding Natural Beauty, as the case may be;
- (d) state that owners or other persons having an interest in the said area who wish to make representations with regard to the proposals may do so by forwarding their representations in writing to the authority specified in the notice before a date specified therein, which date shall not be earlier than twenty-eight days after the date when the notice is first published in accordance with regulation 2.

4 For the purposes of regulation 3(b), the map shall be available for inspection throughout the period mentioned in regulation 3(d) during the normal working hours of Government departments.

5 (1) After considering all representations duly made and not withdrawn, the Commission may make an order under section 5 of the Act, which order shall be submitted to the Minister for approval together with a copy of all representations duly made to the Commission and not withdrawn.

(2) The said order shall define the area to be designated as a National Park, a Strict Natural Reserve, a Special Reserve or an Area of Outstanding Natural Beauty, as the case may be, by reference to a map which shall specify the location of the area and the boundaries thereof.

6 The area designated in an order published under section 5 of the Act may differ from the area specified in the notice published under regulation 2 so, however, that it shall not include any land not included in the area specified in the notice.

Section 16

National Parks (Ste. Anne Marine) Regulations

[16th June, 1975]

SI. 58 of 1973
SI. 35 of 1987
SI. 43 of 1997

ARRANGEMENT OF REGULATIONS

PART I

1. Citation.
2. Interpretation.

PART II

3. No restriction on lawful acts.
4. Areas to be reserved for swimmers.
5. Water-skis.
6. Pleasure boat not to be used dangerously.
7. Licensing of glass bottomed boats.
8. Unlawful to damage property of Commission.
9. Unlawful to kill or disturb living things or their habitats.
10. Anchoring of boats.
11. Pollution and other acts unlawful.
12. Use of licensed casiers.
13. Lawful for Commission to remove unlicensed casiers.
14. Use of licensed hand-lines.
15. Spear-guns not to be brought into the National Park.
16. Authorization of certain acts for National Park management.
17. Collection of fees.
18. Collection of certain shell-fish.

1 These regulations may be cited as the National Park (Ste. Anne Marine) Regulations.

2 In these regulations, unless the context otherwise requires -

"Authority" means the Marine Parks Authority constituted under the Environment Protection (Marine Parks Authority) Order, 1996;

"pleasure boat" includes any type of craft used for pleasure, however, propelled, but does not include an inflatable craft which is not propelled by an internal combustion engine

or a pleasure boat while engaged in the saving of life or proceeding to or coming from anywhere for the purpose of saving life;

"glass-bottomed boat" means any craft designed or adapted so that persons in the craft may view the sea or sea-bed through transparent panels below the water-line;

"anchor" means any moveable device or combination of such devices used or which may be used for securing a craft in a fixed position in relation to the sea-bed;

"mooring" means any fixed device or combination of such devices used or which may be used for securing a craft in a fixed position in relation to the sea-bed;

"specified area" means an area specified in the Schedule;

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

"National Park" means the Ste Anne Marine National Park.

PART II

(1) Nothing in these regulations shall prevent or interfere with -

- (a) the use of the Ste. Anne Channel by vessels in lawful navigation;
- (b) residents on private land within the National Park from having reasonable access by boat to their property;
- (c) the Port Authority or the Medical Department performing any act which they consider necessary to public safety or public health, provided that such act is not performed without prior consultation with the Authority.

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

4 (1) The areas specified in the Schedule shall be set aside for the use of swimmers.

(2) The special areas shall be demarcated in such manner as, in the opinion of the Authority, will conveniently draw thereto the attention of persons using them.

(3) The Schedule may be varied by the Minister with the advice of the Authority.

(4) The specified areas may be provided with moorings by the Authority.

(5) Any person who without reasonable cause or excuse brings into or uses, or causes or permits to be brought into or used in a specified area, any pleasure boat or any other craft or any surf board or water-ski shall be guilty of an offence and shall be liable to a fine not exceeding 1,000 rupees:

Provided that it shall be lawful to bring a pleasure boat into a specified area for the purpose of securing it to a mooring provided by the Authority.

(6) Any person who without reasonable cause or excuse uses or causes or allows to be used an anchor in a specified area shall be guilty of an offence and shall be liable to a fine not exceeding 2,000 rupees or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

5 Any person who uses or causes or permits to be used in the National Park any surf-board or water-ski shall be guilty of an offence and shall be liable to a fine not exceeding 1,000 rupees.

6 Any person who without reasonable cause or excuse uses a pleasure boat or any other craft in the National Park recklessly, or at a speed or in a manner which is dangerous to the public or without due care and attention, shall be guilty of an offence and shall be liable to a fine not exceeding 1,000 rupees or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

7 Notwithstanding the provisions of regulation 4, the Authority may, in its discretion, license the use of glass-bottomed boats in specified areas and may impose on the licensees such general or special conditions as it thinks fit.

8 Any person who removes, defaces, damages or obscures any buoy, marker, notice, structure, vessel or equipment belonging to or placed by the Authority shall be guilty of an offence and shall be liable to a fine not exceeding 2,000 rupees or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

9 Any person, except as provided in regulations 12, 14, 16 and 18, who -

- (a) injures, disturbs or damages any sandbank or reef or area of the sea-floor; or
- (b) kills, captures, takes or wilfully injures by any means whatsoever any marine plant or animal whether vertebrate or invertebrate and whether dead or alive; or
- (c) removes any humus, soil, sand, mud, gravel, rock, coral or reef debris for any purpose whatsoever from the sea-bed, foreshore, shore or land within 20 metres inland from the high water mark,

shall be guilty of an offence and shall be liable to a fine not exceeding 2,000 rupees or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

10 Notwithstanding the provisions of regulation 9 it shall be lawful to secure a boat by an anchor on the sea floor:

Provided that any person who uses or causes or allows to be used an anchor within the National Park in such a way as to disturb or damage any coral shall be guilty of an offence and shall be liable to a fine not exceeding 1,000 rupees or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

11 Any person who, except as provided in regulation 16 -

- (a) without the written consent of the Authority and of the Planning Authority, erects any booth, tent and shed, stand, stall or other structure, (whether fixed or moveable) within 20 metres inland from the high water mark within the National Park;

- (b) not being a resident within the National Park beaches, careens, cleans, scrapes or points any craft or vessel; or
- (c) other than in receptacles provided for that purpose, throws down, drops, leaves or otherwise deposits on any beach or on any part of the sea-bed or in any part of the sea anything whatsoever in such circumstances as to cause, contribute to or tend to lead to the defacement by litter or the pollution by chemicals or other noxious substances or domestic effluent of any part of the National Park,

shall be guilty of an offence and shall be liable to a fine not exceeding 2,000 rupees or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

12 The Authority may license the taking of fish in casiers by residents on privately-owned land within the National Park:

Provided that -

- (a) not more than two casiers shall be licensed to be used by each family;
- (b) such casiers conform to the specifications laid down in the Fisheries Act;
- (c) all such casiers shall be marked with the licence number of the owner;
- (d) it shall be lawful of the Authority to specify the area within which such casiers may be used.

13 It shall be lawful for the Authority to remove and destroy any casier found within the National Park, which is not marked with a valid licence number, or which has been placed in an area not specified under regulation 12(d).

14 The Authority may license the taking of fish on hand-lines by residents within the National Park, provided that any fish so taken shall be for the personal use of the licensee or his family.

15 Any person who introduces into or has in his possession in the National Park any spear-gun, harpoon or other device not authorised, declared unlawful, or prohibited by or under the Fisheries Act shall be guilty of an offence and shall be liable to a fine of 1,000 rupees.

16 It shall be lawful for the Authority to authorise in writing any act which in the absence of such authorization, would contravene the provisions of regulation 4, 9, 11 and 15:

Provided that such authorization shall be confined to acts which are related to the management of the National Park and to securing the provisions of these regulations or of the Act.

17 (1) It shall be lawful for the Authority to make such provision as it thinks fit, in accordance with the law, for the collection of fees** for entry into or the performance of acts within the National Park.

(2) Subject to subregulation (3), a person who is the holder of a visitor's permit under section 16 of the Immigration Decree shall pay a fee of Rs50 for entry into the Ste Anne Marine National Park designated by the National Parks (Ste Anne Marine) (Designation) Order.

(3) Notwithstanding subregulation (2), a person below the age of twelve years who is a holder of a visitor's permit under section 16 of the Immigration Decree shall not pay fee for entry into the Ste Anne Marine National Park designated by the National Parks (Ste Anne Marine) (Designation) Order.

18 Notwithstanding the provisions of regulation 9(b) it shall be lawful for any resident on privately-owned land on the islands of Cerf, Ste. Anne or Moyenne to collect and take from the foreshore adjoining his land, the following shell- fish -

bernique bigorneau

hache d'armes oysters

palourde tec-tec.

** G.N. 84/1980 an entrance fee of R.10.00 on each non-resident of Seychelles visiting the park as a passenger in a hire craft as defined in the Control of Hire Craft Act. (Cap 46)

SCHEDULE

Regulation 4

NOTE

All Co-ordinates are expressed to the nearest 10 metres on the U.T.M. Zone 40.

Area No. 1

An area of approximately 42 acres bounded by the following:-

Starting at the Southern Tip of the new Pier at Ste. Anne Island (E 333 620 N9490030) then following in a north-easterly direction along the reef for a distance of approximately 1275 metres to the southern tip of the old pier (E 334 720, N 9490 580). The boundary then follows along the line of the old pier as far as the high water mark, then follows along the high water mark as far as the new Pier, then along the new pier in a south westerly direction for a distance of approximately 70 metres, to the starting point.

Area No. 2

An area of approximately 22 acres bounded by the following:-

Starting at the North West extremity of a disused oil pipeline by the west coast of Ste. Anne Island (E 333 160, N 949 1180) then following along the reef in a north easterly direction for a distance of approximately 750 metres to a point (E 333 600, N 949 1730) which is approximately 50 metres north west of the northern tip of a rocky headland on the west side of Anse Cabot. The boundary then follows south east for a distance of approximately 50 metres to the said rocky headland (E 333 640, N 949 1700) then follows in a south westerly direction, along the high water mark until it reaches the above mentioned pipe line at a point (E 333 450, N 949 0820) which is near the vicinity known as Admiralty Area. Thence following North west along the pipe line for a distance of approximately 480 metres, the boundary reaches the starting point.

Area No. 3

An area of approximately 32 acres bounded by the following:-

Starting at the high point approximately in the centre of Moyenne Island (E 334 610, N 9 489 450) being the more northerly of two small hills the boundary follows a straight line due west for a distance of 510 metres to a point on the reef (E 334 100, N 9 489 450) then follows the reef in a curved line for a distance of approximately 1275 metres to a point (E 335 020, N 9 489 450) which is approximately 410 metres due east of the starting point. The boundary then follows in a straight line due west back to the starting point.

Area No. 4

A circular area of approximately 25 acres, having a radius of 180 metres and whose centre is at a point (E 333 590, N 9 489 200) approximately 450 metres due west of the highest point on Round Island.

Area No. 5

A circular area of approximately 48 acres, having a radius of 250 metres, and whose centre is at a point (E 332 960, N 9 488 920) approximately 400 metres due north of the most northerly tip of Cerf Island.

Area No. 6

A circular area of approximately 31 acres having a radius of 200 metres, and whose centre is at a point (E 332 550, N 9 488 370) approximately 280 metres on a true bearing of 295° from a Survey Trigonometrical Station known as "Calais". This Trigonometrical Station is on the west coast of Cerf Island and is marked by a metal tripod, surmounted by a red and yellow diamond, whose centre is approximately 3 metres above ground level.

Area No. 7

A circular area of approximately 17 acres having a radius of 150 metres whose centre is at a point (E 332 250, N 9 488 660) approximately 700 metres on a True bearing of 307° from the Survey Trigonometrical Station known as "Calais" as described in area No.6.

The areas described above are shown coloured green on a map at scale 1:10,000 numbered 1/39 and lodged in the office of the Chief Surveyor, and registered in Register No. A35 No. 3554 on 23rd May, 1973.

National Parks (Aride Island Special Reserve) Regulations

[16th October, 1979]

SI. 99 of 1975
SI. 92 of 1979
SI. 21 of 1981

ARRANGEMENT OF REGULATIONS

1. Citation.

2. Interpretation.
3. Unlawful to kill or disturb living things or their habitats.
4. Introduction of plants or animals unlawful.
5. Pollution and other acts unlawful.
6. Possession of weapons, traps and poisons unlawful.
7. Lighting of fires unlawful.
8. Authorization of certain acts for Reserve management.
9. Restrictions on access.
10. Fees.

1 These Regulations may be cited as the National Parks (Aride Island Special Reserve) Regulations.

2 In these Regulations, unless the context otherwise requires -

"Reserve" means Aride Island Special Reserve as described by the National Parks and Nature Conservancy (Special Reserve Aride Island) (Designation) Order;

"Society" means the Society for the Promotion of Nature Conservation and includes its servants and agents;

"Warden" means the servant of the Society appointed with the agreement of the Commission, to be in charge of the Reserve.

3 Subject to regulation 8, any person who, within the disturb Reserve -

- (a) kills, captures, takes or wilfully injures, has in his possession, disturbs or destroys by any means whatsoever any plant or animal or the eggs, spawn, nests or shells thereof, whether marine or terrestrial and whether vertebrate or invertebrate and whether living or dead; or
- (b) removes, or wilfully disturbs any humus, soil, sand, mud, gravel, rock, coral or reef debris, for any purpose whatsoever from or in any part of the Reserve,

shall be guilty of an offence and liable to a fine of R.2,000 and to imprisonment for 12 months.

4 Subject to regulation 8, any person who wilfully introduces into the Reserve any living creature, or any plant, or egg of any living creature, or any seed or other part of any plant, shall be guilty of an offence and liable to a fine of R. 2,000 and to imprisonment for 3 months.

5 Subject to regulation 8, any person who, other than in receptacles provided for that purpose, throws down, drops, leaves or otherwise deposits anything whatsoever in such

circumstances as to cause, contribute to or tend to lead to the defacement by litter or the pollution by chemicals or other noxious substances or domestic effluent of any part of the Reserve, shall be guilty of an offence and liable to a fine of R. 2,000 and to imprisonment for 3 months.

6 Subject to regulation 8, any person who introduces into or has in his possession in the Reserve any weapon or device designed for or which may be used for the capture, injury or killing of any wildlife, or any explosive device or firework or any poisonous substance, shall be guilty of an offence and liable to a fine of R. 2,000 and to imprisonment for 3 months.

7 Subject to regulation 8, any person who lights a fire or does anything likely to cause a fire in the Reserve shall be guilty of an offence and liable to a fine of R. 2,000 and to imprisonment for 3 months.

8 (1) The Society may, with the agreement of the Commission, authorize in writing any act which in the absence of such authorization would contravene the provisions of regulations 3, 4, 5, 6 and 7:

Provided that -

- (i) such authorization shall be confined to lawful acts related to the management of the Reserve or to scientific research within the Reserve and to the securing of these Regulations and of the Act; and
- (ii) the Society may impose such conditions on the authorization of such acts as it sees fit.

(2) Any person who fails to comply with the conditions of authorization of these acts within the Reserve, shall be guilty of an offence and liable to a fine of R. 2,000 and to imprisonment for 3 months.

9 The Society may, with the agreement of the Commission -

- (a) close any part or parts of the Reserve to public access;
- (b) indicate days or times when the public may land on the Reserve;
- (c) at its discretion, impose such other restrictions on public access as may be in the interests of good wildlife management.

10 The Society may, with the agreement of the Commission, make such provision as it thinks fit for the imposing and collection of fees for entry into or performance of acts within the Reserve.

National Parks (Cousin Island Special Reserve) Regulations

[16th October, 1979]

SI. 93 of 1979
SI. 22 of 1981
SI. 100 of 1975

ARRANGEMENT OF REGULATIONS

1. Citation.

2. Interpretation.
3. Unlawful to kill or disturb living things or their habitats.
4. Introduction of plants or animals unlawful.
5. Pollution and other acts unlawful.
6. Possession of weapons, traps and poisons unlawful.
7. Lighting of fires unlawful.
8. Authorization of certain acts for Reserve management.
9. Restrictions.
10. Fees.

1 These Regulations may be cited as the National Parks (Cousin Island Special Reserve) Regulations.

2 In these Regulations, unless the context otherwise requires -

"I.C.B.P." means International Council for Bird Preservation and includes its appointed servants and agents;

"Reserve" means Cousin Island Special Reserve as designated by the National Parks and Nature Conservancy (Designation of Special Reserve) (Cousin Island) Order;

"Warden" means the servant of the I.C.B.P. appointed, with the agreement of the Commission, to be in charge of the Reserve.

3 Subject to regulation 8, any person who, within the Reserve -

(a) kills, captures, takes or wilfully injures, has in his possession, disturbs or destroys by any means whatsoever any plant or animal or the eggs, spawn, nests or shells thereof, whether marine or terrestrial and whether vertebrate or invertebrate and whether living or dead; or

(b) removes or wilfully disturbs any humus, soil, sand, mud, gravel, rock, coral or reef debris, for any purpose whatsoever from or in any part of the Reserve,

shall be guilty of an offence and liable to a fine of R. 2,000 and to imprisonment for 12 months.

4 Subject to regulation 8, any person who wilfully introduces into the Reserve any living creature, or any plant, or egg of any living creature, or any seed or other part of any plant, shall be guilty of an offence and liable to a fine of R. 2,000 and to imprisonment for 3 months.

5 Subject to regulation 8, any person who, other than in other receptacles provided for that purpose, throws down, drops, leaves or otherwise deposits anything whatsoever in such

circumstances as to cause, contribute to or tend to lead to the defacement by litter or the pollution by chemicals or other noxious substances or domestic effluent of any part of the Reserve, shall be guilty of an offence and liable to a fine of R. 2,000 and to imprisonment for 3 months.

6 Subject to regulation 8, any person who introduces into or has in his possession in the Reserve any weapon or device designed for or capable of being used for the capture, injury or killing of wildlife, or any explosive, explosive device or firework or any poisonous substance, shall be guilty of an offence and liable to a fine of R. 2,000 and to imprisonment for 3 months.

7 Subject to regulation 8, any person who lights a fire or does anything likely to cause a fire in the Reserve shall be guilty of an offence and liable to a fine of R. 2,000 and to imprisonment for 3 months.

8 (1) I.C.B.P. may, with the agreement of the Commission, authorize in writing any act which, in the absence of such authorization, would contravene the provisions of regulations 3, 4, 5, 6 and 7:

Provided that -

- (i) such authorization shall be confined to lawful acts related to the management of the Reserve or to scientific research within the Reserve and to the securing of these Regulations and of the Act; and
- (ii) I.C.B.P. may impose such conditions on the authorization of such acts as it sees fit.

(2) Any person who fails to comply with the Conditions of authorization of these acts within the Reserve shall be guilty of an offence and liable to a fine of R. 2,000 and to imprisonment for 3 months.

9 I.C.B.P. may, with the agreement of the Commission -

- (a) close any part or parts of the Reserve to public access;
- (b) indicate days or times when the public may land on the Reserve;
- (c) at its discretion, impose such other restrictions on public access as may be in the interests of good wildlife management.

10 I.C.B.P. may, with agreement of the Commission, make such provision as it thinks fit for the imposing and collection of fees for entry into or performance of acts within the Reserve.

National Parks (Port Launay Marine) Regulations

[2nd February, 1981]

SI. 9 of 1981
SI. 25 of 1987
SI. 56 of 1979

ARRANGEMENT OF REGULATIONS

PART I – PRELIMINARY

- 1 Citation.
2. Interpretation.
3. Other laws.

PART II - USE OF CRAFT

4. Water-skiing, paragliding etc.
5. Reckless use of craft.
6. Anchoring.

PART III - PRESERVATION OF ENVIRONMENT

7. Damage or disturbance to sea-floor.
8. Ban or having mollusc, shell or coral.
9. Collection of shellfish by residents.

PART IV - LITTER AND POLLUTION

10. Litter and pollution.

PART V - FISHING EQUIPMENT

11. Ban on fishing equipment.
12. Licences for nets.
13. Licences for casiers and handlines.

PART VI – MISCELLANEOUS

14. Fees and charges.
15. Authorised exemptions.
16. Boarding of craft.

PART VII – OFFENCES

17. Offences and penalties.

PART I - PRELIMINARY

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

2 In these Regulations, unless the context otherwise requires:

"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;

"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.

"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 -

- (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

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.

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.

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,

- (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.

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 -

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.

(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

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.

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.

(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 -

- (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).

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.

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

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.

National Parks (Aldabra Special Reserve) Regulations

[21st September, 1981]

SI. 86 of 1981
SI. 87 of 1981

ARRANGEMENT OF REGULATIONS

PART I - PRELIMINARY

1. Citation.
2. Interpretation.

PART II - PRESERVATION OF ENVIRONMENT

3. Damage etc. to property of Foundation.
4. Damage or disturbance to wildlife.
5. Ban on weapons, explosives etc.
6. Ban on introducing wildlife.
7. Ban on lighting fires.
8. Litter and pollution.

PART III – MISCELLANEOUS

9. Fees and charges.
10. Authorised exemptions.
11. Restrictions on entry etc.
12. Directions of Warden etc.
13. Boarding of craft.
14. Obstruction of Warden etc.

PART IV – OFFENCES

15. Offences and penalties.

PART I - PRELIMINARY

1 These Regulations may be cited as the National Parks (Aldabra Special Reserve) Regulations.

- 2** In these Regulations, unless the context otherwise requires -
"animal" includes reptile and bird;

"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;

"Foundation" means the Seychelles Islands Foundation established under section 3 of the Seychelles Islands Foundation Decree;

"Reserve" means the Aldabra Special Reserve as designated by the National Parks (Special Reserve Aldabra) (Designation) Order (being, in terms of section 2 of the Act, an area set aside in which characteristic wildlife requires protection and in which all other interests and activities are subordinated to this end);

"Warden" means the officer of the Foundation appointed, with the agreement of the Commission, to manage and be in charge of the Reserve.

PART II - PRESERVATION OF ENVIRONMENT

3 Subject to Regulation 10, no person shall in the Reserve remove, deface, damage or obscure any buoy, marker, notice, structure, craft or equipment belonging to or placed by the Foundation.

4 Subject to Regulation 10, no person shall in the Reserve -

- (a) kill, capture, take, shoot, or wilfully injure or disturb by any means -
 - (i) any animal whether vertebrate or invertebrate and whether alive or dead; or
 - (ii) the egg, spawn, nest or shell of any animal; or
- (b) disturb, remove or destroy for any purpose any plant or the fruit or seed of any plant; or
- (c) disturb, remove or destroy for any purpose the substrate (being humus, soil, sand, mud, gravel, rock, coral or reef debris) forming the habitat of any animal or plant.

5 Subject to Regulation 10, no person shall bring into, or have in his possession in the Reserve,

- (a) a weapon or device designed or which may be used to contravene Regulation 4;
- (b) an explosive, explosive device or firework or a poisonous substance.

6 Subject to Regulation 10, no person shall bring, or permit to be brought, into the Reserve-

- (a) any animal or the egg or spawn of any animal; or
- (b) any plant or the fruit or seed of any plant,

which is capable of reproducing or propagating itself.

7 Subject to Regulation 10, no person shall light a fire in the Reserve or do anything likely to cause a fire in the Reserve.

8 (1) Subject to Regulation 10, no person in the Reserve shall throw down, drop, leave or otherwise deposit anything or substances so as to deface by litter or pollute the Reserve.

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

(3) In addition to any penalty imposed under Regulation 15, a person who contravenes this Regulation may be ordered by the court to pay the whole or any part of any costs incurred by the Foundation in restoring any part of the Reserve affected by the defacement or pollution caused by that person.

PART III - MISCELLANEOUS

9 (1) The Foundation may, with the agreement of the Commission, impose a fee or charge of a maximum of R.100 for -

- (a) entry into the Reserve;
- (b) the performance of acts in the Reserve; or
- (c) services provided by it in relation to the Reserve.

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

10 The Foundation may, with the agreement of the Commission, authorise in writing the doing of anything in the Reserve which -

- (a) would otherwise contravene Part II of these Regulations;
- (b) is otherwise lawful; and
- (c) is in furtherance of -
 - (i) the better management of the Reserve; or
 - (ii) scientific research in the Reserve; or
 - (iii) the purposes of the Act and these Regulations,

and may in its discretion, for the better management of the Reserve, impose general or special conditions on that authorisation.

11 (1) The Foundation may, with the agreement of the Commission,

- (a) close the whole or any part of the Reserve to public access;
- (b) prohibit craft not authorised by the Warden from entering or being in the Reserve;

- (c) indicate days or times when the public may land on the Reserve;
- (d) in its discretion impose restrictions on public access in furtherance of better wildlife management in the Reserve.

(2) The Foundation shall give notice in the Gazette of restrictions imposed under sub-regulation (1).

12 A person in the Reserve shall comply with any direction given by the Warden or by an officer of the Foundation on his behalf.

13 The Warden or an officer of the Foundation or a police officer may at any time board and inspect a craft in the Reserve where he has reasonable grounds to suspect that the craft or a person in the craft is contravening the Act or these Regulations.

14 No person shall prevent, hinder, obstruct or interrupt-

- (a) the Warden or an officer of the Foundation or of the Commission in the proper discharge of his functions; or
- (b) a person employed by or acting under the authority of the Foundation or the Commission in the proper execution of work connected with the improvement, maintenance or regulation of the Reserve.

PART IV - OFFENCES

15 A person who contravenes -

- (a) any provision of Regulation 3, 4, 5, 6, 7, 8, 12 or 14; or
- (b) a condition of an authorisation under Regulation 10; or
- (c) a prohibition or restriction imposed under Regulation 11,

is guilty of an offence and is liable to imprisonment for 3 months and to a fine of R. 2000.

NATIONAL PARKS (LA DIGUE VEUVE SPECIAL RESERVE) REGULATIONS

SI. 9 of 1991

1. These Regulations may be cited as the National Parks (La Digue Veuve Special Reserve) Regulations.

2. In these Regulations, unless the context otherwise requires -

"Commission" means the Seychelles National Environment Commission established under the provisions of section 3 of the National Parks and Nature Conservancy Act.

"Director" means the Director of Conservation and National Parks in the Department of Environment.

"Reserve" means La Digue Veuve Special Reserve as defined by the National Parks (La Digue Veuve Special Reserve) (Designation) Order.

"Warden" means any officer of the Commission appointed under paragraph 6 of the Schedule to the National Parks and Nature Conservancy Act.

3. Subject to regulation 9, any person who, within the Reserve :
 - (a) kills, captures, takes or willfully injures, has in his possession, disturbs or destroys by any means whatsoever any animal, or the eggs, spawn, nests or shells thereof, whether vertebrate or invertebrate and whether living or dead; or
 - (b) disturbs, removes or destroys for any purpose any plant or the fruit or seeds of any plant; or
 - (c) removes or willfully disturbs any humus, soil, sand mud, gravel, or rock for any purpose whatsoever from or in any part of the Reserves,

is guilty of an offence and liable to a fine of R 2,000 and to imprisonment for twelve months.

4. Subject to regulation 9, any person who willfully introduces into the Reserve any living creature, or any plant, or egg of any living creature, or any seed or other part of any plant, is guilty of an offence and liable to a fine of R 2,000 and to imprisonment for six months.

5. Subject to regulation 9, any person who, other than in receptacles provided for that purpose, throws down, drops, discards, or otherwise deposits anything whatsoever in such circumstances as to cause, contribute to or tend to lead to the defacement by litter or the pollution by chemicals or other noxious substances or domestic effluent of any part of the Reserve, is guilty of an offence and liable to a fine of R 2,000 and to imprisonment for six months.

6. Subject to regulation 9, any person who introduces into or has in his possession in the Reserve any weapon or device designed for or capable of being used for the capture, injury or killing of wildlife, or any explosive, explosive device or firework or any poisonous substance, is guilty of an offence and liable to a fine of R 2,000 and to imprisonment for six months.

7. Subject to regulation 9, any person who lights a fire or does anything likely to cause a fire in the Reserve, is guilty of an offence and liable to a fine of R 2,000 and imprisonment for six months.

8. Any person who removes, defaces, damages or obscures any marker, notice, structure, or equipment belonging to or placed by the Commission is guilty of an offence and liable to a fine of R 2,000 and to imprisonment for six months.

9. (1) Subject to sub-regulation (2) the Director may, with the agreement of the Commission, authorize subject to such conditions as he think fit, any act which otherwise is prohibited by regulation 3, 4, 5, 6 and 7.

(2) Any authorization referred to in sub-regulation (1) shall be confined to lawful acts related to the management of the Reserve or to scientific research within the Reserve and to the securing of the objectives of these Regulations and of the National Parks and Nature Conservancy Act.

(3) Any person who fails to comply with any conditions of authorization granted by the Director under sub-regulation (1) is guilty of an offence and liable to a fine of R 2,000 and to imprisonment for six months.

- 10.** The Director may, with the agreement of the Commission:
- (a) close any part or parts of the Reserve to public access;
 - (b) indicate days or times when the public may be allowed access to the Reserve;
 - (c) impose such other restrictions on public access as may be in the interest of good wildlife management.

11. (1) A warden or police officer may, without warrant, arrest any person whom he shall find committing any offence under these Regulations or the National Parks and Nature Conservancy Act.

(2) A warden or police officer may at any time within or in the vicinity of the Reserve, without a warrant, stop and search any vehicle where he reasonably believes that the vehicle is or has been used in connection with the commission of an offence under these Regulations.

12. (1) The Director may, with the agreement of the Commission, impose a fee or charge of a maximum of R 100 for:

- (a) entry into the Reserve;
- (b) the performance of acts in the Reserve; or
- (c) services provided in relation to the Reserve.

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

NATIONAL PARKS (CURIEUSE MARINE NATIONAL PARK) REGULATIONS

SI. 15 of 1991

1. These Regulations may be cited as the National Parks (Curieuse Marine National Park) Regulations.

2. In these Regulations, unless the context otherwise requires -

"Commission" means the Seychelles National Environment Commission established under the provisions of section 3 of the National Parks and Nature Conservancy Act.

"Director" means the Director of Conservation and National Parks in the Department of Environment.

"Reserve" means Curieuse Marine National Park as defined by the National Parks (Curieuse Marine) (Designation) Order.

"Warden" means any officer of the Commission appointed under paragraph 6 of the Schedule to the National Parks and Nature Conservancy Act.

3. Subject to regulation 12, any person who, within the Reserve :

- (a) kills, captures, takes or willfully injures, has in his possession, disturbs or destroys by any means whatsoever any animal, or the eggs, spawn, nests or shells thereof, whether vertebrate or invertebrate and whether living or dead; or
- (b) disturbs, removes or destroys for any purpose any plant or the fruit or seeds of any plant; or
- (c) removes or willfully disturbs any humus, soil, sand mud, gravel, or rock for any purpose whatsoever,

is guilty of an offence and liable to a fine of R 2,000 and to imprisonment for twelve months.

4. Subject to regulation 12, any person who willfully introduces into the National Park any living creature, or egg of any living creature, or any plant, seed or other part of any plant, is guilty of an offence and liable to a fine of R 2,000 and to imprisonment for six months.

5. Subject to regulation 12, any person who, other than in receptacles provided for that purpose, throws down, drops, discards, or otherwise deposits anything whatsoever, in such circumstances as to cause, contribute to or tend to lead to the defacement by litter or the pollution by chemicals or other noxious substances or domestic effluent of any part of the National Park, is guilty of an offence and liable to a fine of R 2.000 and to imprisonment for six months.

6. Subject to regulation 12, any person who introduces into weapon or has in his possession in the National Park any weapon or device designed for or capable of being used for the capture, injury or killing of wildlife, or any explosive, explosive device or firework or any poisonous substance, is guilty of an offence and liable to a fine of R 2,000 and to imprisonment for six months.

7. Subject to regulation 12, any person who lights a fire or does anything likely to cause a fire in the National Park, is guilty of an offence and liable to a fine of R 2,000 and imprisonment for six months.

8. Any person who removes, defaces, damages or obscures any notice marker, notice, structure, or equipment belonging to or placed by the Commission is guilty of an offence and liable to a fine of R 2,000 and to imprisonment for six months.

9. (1) The Minister, in consultation with the Director, may designate, by notice in the Gazette, areas set aside for the mooring and anchoring of vessels.

(2) The designated areas shall be demarcated by the Director in such manner as will conveniently draw thereto the attention of the public utilizing such area, and the Director may also provide mooring facilities in such area.

(3) Where the Minister has designated an area under sub- regulation (1), any person who, in the National Park, moors or anchors a vessel or causes or permits any vessel to be moored or anchored other than in the area so designated, is guilty of an offence and liable to a fine of R2,000 and to imprisonment for six months.

(4) Where mooring facilities have been provided by the Director within the National Park, any person who uses any anchor or causes or allows an anchor to be used without reasonable cause or lawful excuse, is guilty of an offence and liable to a fine of R 2,000 and to imprisonment for six months.

(5) Notwithstanding regulation (3), in the event that no area has been designated under sub-regulation (1), it shall be lawful to secure a vessel by an anchor to the sea floor in the National Park:

Provided that any person who uses or causes or allows to be used any anchor within the National Park in such a way as to disturb or damage any coral is guilty of an offence and liable to a fine of R 2,000 and to imprisonment for six months.

(6) Subject to the proviso to sub-regulation (5), it shall be lawful, for exceptional reasons in an emergency, to moor a vessel in the National Park other than in an area designated under sub-regulation (1), or use an anchor in an area designated under sub-regulation (1), notwithstanding that there are mooring facilities provided in the area.

(7) The Minister, acting upon the advice of the Director, may amend or vary, by notice in the Gazette, the designated areas set aside for the mooring and anchoring of vessels.

10. Any person who uses or permits to be used any surfboard or water-ski in the National Park is guilty of an offence and liable to a fine of R2,000 and to imprisonment for six months.

11. Any person who, in the National Park, without reasonable cause, uses or permits to be used any pleasure boat or any other boat craft in a reckless manner, or at a speed or in a manner which is dangerous to the public or without due care and attention is guilty of an offence and liable to a fine of R 2,000 and to imprisonment for six months.

12. (1) Subject to sub-regulation (2), the Director may, with the agreement of the Commission, authorize, subject to such conditions as he may think fit, any act which otherwise is prohibited by regulations 3, 4, 5, 6, 7, 8, 9, 10 and 11.

(2) Any authorization referred to in sub-regulation (1) shall be confined to lawful acts related to the management of the National Park or to scientific research or an aquaculture concession granted under the Fisheries Act within the National Park and to the securing of the objectives of these Regulations and the Act.

(3) Any person who fails to comply with any conditions of authorization granted by the Director under sub-regulation (1) is guilty of an offence and liable to a fine of R 2,000 and to imprisonment for six months.

13. The Director may, with the agreement of the Commission -

- (a) close any part or parts of the National Park to public access;
- (b) indicate days or times when the public may be allowed access to the National Park;
- (c) impose such other restrictions on public access as may be in the interest of good wildlife management.

14. (1) A warden or police officer may, without warrant, arrest any person whom he shall find committing any offence under these Regulations or the Act.

(2) A warden or police officer may, at any time within or in the vicinity of the National Park, without a warrant, stop and search any vehicle, vessel or craft where he has reasonable belief that the vehicle, vessel or craft is or has been used in connection with the commission of an offence under these Regulations.

15. (1) The Director may, with the agreement of the Commission, impose a fee or charge of a maximum of R100 for -

- (a) entry into the National Park;
- (b) the performance of acts in the National Park; or
- (c) services provided in relation to the National Park.

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

National Parks and Nature Conservancy (Port Launay Marine Park Fees) Notice

SI. 16 of 1997

[24th February 1997]

1. This Notice may be cited as the National Parks and Nature Conservancy (Port Launay Marine Park Fees) Notice.

2. A person of or above the age of twelve years and who is the holder of a visitor's permit under Section 16 of the Immigration Decree shall pay a fee of Rs.50 for entry into the Port Launay Marine Park designated by the National Park (Port Launay Marine) (Designation) Order.

National Parks and Nature Conservancy (Curieuse Marine National Park Fees) Notice

SI. 17 of 1997

[24th February 1997]

1. This Notice may be cited as the National Parks and Nature Conservancy (Curieuse Marine National Park Fees) Notice.

2. A person of or above the age of twelve years and who is the holder of a visitor's permit under Section 16 of the Immigration Decree shall pay a fee of Rs.50 for entry into the Curieuse Marine National Park designated by the National Park (Curieuse Marine) (Designation) Order.

National Parks and Nature Conservancy Parks (Ile Cocos, Ile La Fouche, Ilot Platte) (Designation) Order

SI. 20 of 1997

[3rd March, 1997]

1. This Order may be cited as the National Parks and Nature Conservancy (Ile Cocos, Ile La Fouche, Ilot Platte) (Designation) Order.

2. The area described in the Schedule is hereby designated as a National Park.

SCHEDULE

The area comprised within the following boundaries starting at A(4°18'54.7902 "South and 55° 52'04.1168 East) North of Anse Parc, the boundary proceeds in a westerly direction to point B (4°18'55.1480" South and 55° 42'09.3" East) thence in a Northerly direction to point C (4° 18'22.0299" South and 55° 51'42.4330" East) thence in an Easternly direction to point D (4° 18'21.2405" South and 55° 51'58.9765" East) and then in a South Easternly direction to point E (4° 18'52.3703" South and 55° 52'19.2035" East) in the northern tip of Roch Ira, thence following the high water mark through Anse Peniche to the starting point A.

National Parks (Baie Ternay Marine) Regulations, 1997

SI. 26 of 1997

ARRANGEMENT OF REGULATIONS

PART I - PRELIMINARY

1. Citation
2. Interpretation
3. Other laws

PART II - USE OF CRAFT

4. Water-skiing, paragliding etc.
5. Reckless use of craft
6. Anchoring

PART III - PRESERVATION OF ENVIRONMENT

7. Damage or disturbance to sea-floor.
8. Ban or having mollusc, shell or coral.
9. Collection of shellfish by residents.

PART IV - LITTER AND POLLUTION

10. Litter and pollution.

PART V - FISHING EQUIPMENT

11. Ban on fishing equipment.
12. Permission for use of nets.
13. Permission for casiers and handlines.

PART VI – MISCELLANEOUS

14. Fees and charges.
15. Authorised exemptions.
16. Boarding of craft.

PART VII - OFFENCES

17. Offences and penalties.

PART 1 – PRELIMINARY

1. These Regulations may be cited as the National Parks (Baie Ternay Marine) Regulations.

2. In these Regulations, unless the context otherwise requires–

"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;

"Authority" means the Marine Parks Authority constituted under the Environment Protection (Marine Parks Authority) Order, 1996;

"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;

"foreshore" means the area between high and low water marks;

"National Park" means the Baie Ternay Marine National Park as designated in the National Parks (Baie Ternay Marine) (Designation) Order.

"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 –
- (a) residents of land adjoining the National Park having reasonable access to their property;

- (b) the Harbour Master or Ministry responsible for 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 Authority.

(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

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

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

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.

6. (1) Notwithstanding regulation 7, but subject to subregulation (2), a craft may be secured by an anchor to the seafloor in the National Park.

(2) Notwithstanding subregulation (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 damage coral.

PART III - PRESERVATION OF ENVIRONMENT

7. Subject to regulations 9, 12, 13 and 15, no person shall, in the National Park –

- (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 the possession of the person, whether obtained in or outside the National Park, a mollusc, or shell of a mollusc, or any coral.

9. Notwithstanding Regulations 7 and 8, a resident of land adjoining the National Park may collect and take from the foreshore adjoining the person's land the following shell-fish –

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.

(2) No person shall outside the National Park throw down, 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 subregulation (1), a person in the National Park may deposit litter in litter bins provided by the Authority.

(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 Authority in restoring any part of the National Park affected by the defacement or pollution caused by that person.

PART V - FISHING EQUIPMENT

11. (1) Subject to regulations 12, 13 and 15, no person in the National Park shall bring into, or have in possession in, the National Park –

- (a) a spear-gun or harpoon;
 - (b) a net which is not permitted under regulation 12;
 - (c) a casier or a handline which is not permitted 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 subregulation (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 subregulation (1) if it is not in a state ready for use.

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

(2) The Authority may in its discretion limit the number of permits.

(3) The Authority may impose general or special conditions on a permit and shall make it a condition of each 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 Authority may permit the use by residents of lands adjoining the National Park of casiers and handlines for obtaining fish in the National Park.

(2) The Authority may in its discretion limit the number of permits.

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

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

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

(a) not marked with a permit number of a current permit; or

(b) is in an area prohibited under subregulation (4).

(6) No person shall in an area prohibited under subregulation (4) use any casier or handline.

PART VI - MISCELLANEOUS

14. (1) The Authority may in its discretion impose a fee or charge of a maximum of R100 for –

(a) entry into the National Park;

(b) permits under regulations 12 or 13;

(c) the performance of acts in the National Park; or

(d) services provided by it.

(2) The Authority shall give notice in the *Gazette* of fees or charges imposed under subregulation (1).

15. The Authority 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.

16. (1) An officer or agent of the Authority or a police officer may at any time board and inspect a craft in the National park where the officer, agent or police officer 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 subregulation (1).

PART VII - OFFENCES

17. A person who contravenes—

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

(b) a condition of a permit 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 R2000.

National Parks and Nature Conservancy (Baie Ternay Marine Park Fees) Notice

SI. 31 of 1997

[21st April, 1997]

1. This Notice may be cited as the National Parks and Nature Conservancy (Baie Ternay Marine Park Fees) Notice.

2. A person of or above the age of twelve years and who is the holder of a visitor's permit under Section 16 of the Immigration Decree shall pay a fee of Rs.50 for entry into the Baie Ternay Marine Park designated by the National Park (Baie Ternay Marine) (Designation) Order.

National Parks (Ile Cocos, Ile La Fouche, Ilot Platte) Regulations

SI. 46 of 1997

[14th July, 1997]

1. These Regulations may be cited as the National Parks (Ile Cocos, Ile La Fouche, Ilot Platte) Regulations.

2. In these Regulations, unless the context otherwise requires –

"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;

"Authority" means the Marine Parks Authority constituted under the Environment Protection (Marine Parks Authority) Order, 1996;

"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;

"National Park" means the Ile Cocos, Ile La Fouche, Ilot Platte National Park as designated in the National Parks and Nature Conservancy (Ile Cocos, Ile La Fouche, Ilot Platte) Designation Order, 1997;

"Warden" means any officer of the Authority appointed under paragraph 6 of the Schedule 1 of the Act.

3. Subject to regulation 12, any person who, within the National Park-
- (a) kills, captures, takes, wilfully injures, has in his possession, disturbs or destroys by any means whatsoever any animal, or the eggs, spawn, nests or shells thereof, whether vertebrate or invertebrate and whether living or dead; or
 - (b) disturbs, removes or destroys for any purpose any plant or the fruit or seeds of any plant; or
 - (c) removes or wilfully disturbs any humus, soil, sand mud, gravel, or rock for any purpose whatsoever,

is guilty of an offence and liable to a fine of R 2,000 and to imprisonment for twelve months.

4. Subject to regulation 12, any person who wilfully introduces into the National Park any living creature, or egg of any living creature, or any plant, seed or other part of any plant, is guilty of an offence and liable to a fine of R 2,000 and to imprisonment for six months.

5. Subject to regulation 12, any person who, other than in receptacles provided for that purpose, throws down, drops, discards, or otherwise deposits anything whatsoever, in such circumstances as to cause, contribute to or tend to lead to the defacement by litter or the pollution by chemicals or other noxious substances or domestic effluent of any part of the National Park, is guilty of an offence and liable to a fine of R2.000 and to imprisonment for six months.

6. Subject to regulation 12, any person who introduces into or has in its possession in the National Park any weapon or device designed for or capable of being used for the capture, injury or killing of wildlife, or any explosive, explosive device or firework or any poisonous substance, is guilty of an offence and liable to a fine of R 2,000 and to imprisonment for six months.

7. Subject to regulation 12, any person who lights a fire or does anything likely to cause a fire in the National Park, is guilty of an offence and liable to a fine of R 2,000 and imprisonment for six months.

8. Any person who removes, defaces, damages or obscures any marker, notice, structure, or equipment belonging to or placed by the Authority is guilty of an offence and liable to a fine of R2,000 and to imprisonment for six months.

9. (1) The Minister, in consultation with the Authority, may designate, by notice in the *Gazette*, areas set aside for the mooring and anchoring of vessels.

(2) The areas designated under subregulation (1) shall be demarcated by the Authority in such manner as will conveniently draw thereto the attention of the public utilizing such area, and the Authority may also provide mooring facilities in such area.

(3) Where the Minister has designated an area under subregulation (1), any person who, in the National Park, moors or anchors a vessel or causes or permits any vessel to be moored

or anchored other than in the area so designated, is guilty of an offence and liable to a fine of R2,000 and to imprisonment for six months.

(4) Where mooring facilities have been provided by the Authority within the National Park, any person who uses any anchor or causes or allows an anchor to be used without reasonable cause or lawful excuse, is guilty of an offence and liable to a fine of R 2,000 and to imprisonment for six months.

(5) Notwithstanding subregulation (3), in the event that no area has been designated under subregulation (1), it shall be lawful to secure a vessel by an anchor to the sea floor in the National Park:

Provided that any person who uses or causes or allows to be used any anchor within the National Park in such a way as to disturb or damage any coral is guilty of an offence and liable to a fine of R 2,000 and to imprisonment for six months.

(6) Subject to the proviso to subregulation (5), it shall be lawful, for exceptional reasons in an emergency, to moor a vessel in the National Park other than in an area designated under subregulation (1), or use an anchor in an area designated under subregulation (1), notwithstanding that there are mooring facilities provided in the area.

(7) The Minister, acting upon the advice of the Authority, may amend or vary, by notice in the *Gazette*, the areas designated under subregulation (1).

10. Any person who uses or permits to be used any surf board or water-ski in the National Park is guilty of an offence and liable to a fine of R2,000 and to imprisonment for six months.

11. Any person who, in the National Park without reasonable cause, uses or permits to be used any pleasure boat or any other craft in a reckless manner, or at a speed or in a manner which is dangerous to the public or without due care and attention is guilty of an offence and liable to a fine of R2,000 and to imprisonment for six months.

12. (1) Subject to subregulation (2), the Authority may, authorize, subject to such conditions as the Authority may think fit, any act which otherwise is prohibited by regulations 3, 4, 5, 6, 7, 8, 9 and 11.

(2) Any authorisation referred to in subregulation (1) shall be confined to lawful acts related to the management of the National Park or to scientific research within the National Park and to the securing of the objectives of these Regulations and the Act.

(3) Any person who fails to comply with any conditions of authorization granted by the Authority under subregulation (1) is guilty of an offence and liable to a fine of R 2,000 and to imprisonment for six months.

13. The Authority may -

- (a) close any part of the National Park to public access;
- (b) indicate days or times when the public may be allowed access to the National Park;
- (c) impose such other restrictions on public access as may be in the interest of good wildlife management.

14. (1) A warden or police officer may, without warrant, arrest any person whom the warden or police officer shall find committing any offence under these Regulations or the Act.

(2) A warden or police officer may, at any time within or in the vicinity of the National Park, without a warrant, stop and search any vehicle, vessel or craft where the warden or police officer has reasonable belief that the vehicle, vessel or craft is or has been used in connection with the commission of an offence under these Regulations.

15. (1) The Authority may impose a fee or charge of a maximum of R100 for —

- (a) entry into the National Park;
- (b) the performance of acts in the National Park; or
- (c) services provided in relation to the National Park.

(2) The Authority shall give notice in the *Gazette* of fees or charges imposed under subregulation (1).

National Parks (Ile Cocos, Ile La Fouche, Ilot Platte National Park Fees) Notice

SI. 61 of 1997

[29th September, 1997]

1. This Notice may be cited as the National Parks (Ile Cocos, Ile La Fouche, Ilot Platte National Parks Fees) Notice.

2. A person of or above the age of twelve years and who is the holder of a visitor's permit under section 16 of the Immigration Decree shall pay a fee of Rs.50 for entry into the Ile Cocos, Ile La Fouche, Ilot Platte National Park designated by the National Parks and Nature Conservancy (Ile Cocos, Ile La Fouche, Ilot Platte) (Designation) Order, 1997.

National Parks and Nature Conservancy (Designation of Area of Outstanding Beauty) (Grand Anse) Order

SI. 18 of 2000

[17th April, 2000]

1. This Order may be cited as the National Parks and Nature Conservancy (Designation of Area of Outstanding Beauty) (Grand Anse) Order.

2. The area described in the Schedule is hereby designated as an Area of Outstanding Beauty.

Schedule

1. Vacoas Forest Section (Boundaries)

AF53, (Subdivision of parcel B790) MB668, MB669, MB660, MB667, EP46, NN64, NN58, NM90, NN99, NP37, NP76, AF58, (Subdivision of parcel B1266) QB88, PY71,

QB74, PW6, PW03, (A), edge of road through (Y), (E), MH675, MH685, (B) (A1), MH698, MH696, MH683, MH684, MH677, (C), edge of old La Misere road, (N), AF53.

Parcel B1266 and B790 are both State land.

Mangrove Section (Boundaries)

B623, B622, B453, B1317, B1313, B1311, B1308, B569, B570, B571 and B74.

B1758, B1759 and a section of parcel 1374. The section of parcel B1374 included in the area is surrounded on one side by the high watermark and on the other side by the following parcels :

B1760, B1469, B1290, B1289, B1281, B1286, then it includes the Riviere Grand Anse till the school.

Parcels B1441, B1759, B1758 and B1374 are State land.

2. A map specifying the location of the area and its boundaries is deposited in the office of the Director of Surveys and filed as ML/ADN/140.

National Parks (Moyenne National Park) (Designation) Order

SI. 55 of 2009

[22nd June, 2009]

1. This Notice may be cited as the National Parks (Moyenne National Park) (Designation) Order.
2. The area referred to in the Schedule is designated as the Moyenne National Park.

SCHEDULE

The island of Moyenne which is approximately 22 acres in size and is represented on a plan deposited in the office of the Director of Surveys.

National Parks (Silhouette) (Designation) Order,

SI. 60 of 2010

[17th August, 2010]

1. This Order may be cited as the National Parks (Silhouette) (Designation) Order, 2010, and shall be deemed to have come into operation on 1st August, 2010.
2. The area described in the Schedule is hereby designated as a National Park.

SCHEDULE

The whole Island of Silhouette is approximately 4950.59 acres in size excluding 348.06 acres leaving an area of approximately 4602.54 acres in size designated as the Silhouette National Park.

These zones are delimited as follows:

Anse Mondon

It starts to right point of the Pointe Machabee headland after its rock formation at coordinates (302446, 9506089). It then follows the coastline eastwards until it reaches the river at coordinates (302630, 9506114). It then goes uphill along the river until reaching the 30m contour line at coordinates (302630, 9505948).

The 30m contour is now followed westwards until coordinates (302413, 9506056). This point is then joined to the initial point.

La Passe

It starts on the northern most point of Baie Cipailles at coordinates (304529, 9506054) and follows the coastline eastwards until reaching the end of Anse La Passe at coordinates (306187, 9503969). It then proceeds away from the coastline in a southerly manner until coordinates (306187, 9503917). It then moves westwards until coordinates (306107, 9503949) and then to coordinates (306078, 9503949). From that point it then moves south westerly in a perpendicular manner to the 20m contour at coordinates (306026, 9503901). It follows this 20m contour line until coordinates (305647, 9504238) where it goes up to the 50m contour at coordinates (305605, 9504076). This contour line is followed until coordinates (305307, 9504379) where it drops back down the 20m contour at coordinates (305367, 9504495) following the geographical crest. From then on, it moves northwards until the coordinates (304497, 9506022), where it then joins again to the initial starting point at Baie Cipailles.

Anse Lascar

It starts at coordinates (305997, 9503253) approximately 50 metres along Anse Lascar and goes all the way down south until the most easterly point of Pointe Zeng Zeng at coordinates (306017, 9502602). It then heads west until reaching the 50 metre contour at coordinates (305882, 9502605) which it follows northwards until reaching the rock formation at (305915, 9503329). It then follows the rock formation downhill until reaching the starting point at the beach.

Grand Barbe

It starts at coordinates (303015, 9502079) at a distance of 50m to the right of the wetland found at Grand Barbe then moves northerly along the coastline past Anse Grand Barbe, until the southern tip of Pointe Jardin. It then goes up the eastern side of the rock formation at Grand Machabee until the 20m contour which it follows in a south easterly direction until the river Lo Glacis at coordinates (303067, 9502617). From then on, it follows the river in a southerly direction until the coordinates (303029, 9502486) to the north of the wetland. It finally goes down the western side of the wetland until the starting initial point keeping a buffer of 50m at all times to the west of the wetland.

1. This Order may be cited as the Special Reserve (Ile aux Récifs) (Designation) Order.
2. The area referred to in the Schedule is hereby designated as a Special Reserve.

SCHEDULE

The Ile aux Récifs which is approximately 32.12 acres in size and is represented on a plan deposited in the office of the Director of Surveys.
