

Section 16

National Parks (Ste. Anne Marine) Regulations S.I. 58 of 1973.
S.I. 35 of 1987.

[16th June, 1975]

ARRANGEMENT OF REGULATIONS

REGULATION

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.
-

Citation.

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

2. In these regulations, unless the context otherwise requires — Interpretation.

“Commission” shall have the meaning assigned to it in the Act, and shall include its appointed servants and agents;

“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

3(1) Nothing in these regulations shall prevent or interfere with — No restriction on lawful acts.

- (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 Commission.

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

Areas to be reserved for swimmers.

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 Commission, will conveniently draw thereto the attention of persons using them.

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

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

(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 surfboard 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 Commission.

(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.

Water-skis.

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.

Pleasure boat
not to be used
dangerously.

7. Notwithstanding the provisions of regulation 4, the Commission 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.

Licensing of
glass bottomed
boats.

8. Any person who removes, defaces, damages or obscures any buoy, marker, notice, structure, vessel or equipment belonging to or placed by the Commission 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.

Unlawful to
damage property
of Commission.

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

Unlawful to kill
or disturb living
things or their
habitats.

- (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:

Anchoring of
boats.

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.

Pollution and other acts unlawful.

11. Any person who, except as provided in regulation 16 —

- (a) without the written consent of the Commission 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.

Use of licensed casiers.

12. The Commission 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;

Cap. 82.

- (c) all such casiers shall be marked with the licence number of the owner;
- (d) it shall be lawful of the Commission to specify the area within which such casiers may be used.

13. It shall be lawful for the Commission 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).

Lawful for Commission to remove unlicensed casiers.

14. The Commission 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.

Use of licensed hand-lines.

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.

Spear-guns not to be brought into National Park. Cap. 82

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

Authorization of certain acts for National Park management.

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. It shall be lawful for the Commission 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.

Collection of fees.

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 —

Collection of certain shell-fish.

** 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)

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

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.