

Fisheries and Marine Resources (Marine Protected Areas) Regulations 2001

GN 172/2001

THE FISHERIES AND MARINE RESOURCES ACT 1998

Regulations made by the Minister under sections 7(3) and 73 of the Fisheries and Marine Resources Act 1998

PART I-PRELIMINARY

1. Short title

These regulations may be cited as the **Fisheries and Marine Resources (Marine Protected Areas) Regulations 2001**.

2. Interpretation

"A-Flag" means the international navigational signaling flag for the letter "A";

"Act" means the Fisheries and Marine Resources Act 1998;

"anchor" includes a mooring device;

"conservation zone" means a zone described in regulation 19(l);

"Fishing Reserve" means that part of the sea, including any land found within that part of the sea, which is designated as a Fishing Reserve under section 7 of the Act;

"marine fauna" means any dead or live animal, including the skeleton or shell of such animal, which normally lives, below the high-water tide mark in the sea;

"marine flora" means any dead or alive, flowering or non-flowering plant which normally lives below the high-water tide mark in the sea;

"Marine Park" means that part of the sea, including any land found within that part of the sea, which is designated as a Marine Park under section 7 of the Act;

"Marine Reserve" means that part of the sea, including any land found within that part of the sea, which is designated as a Marine Reserve under section 7 of the Act;

"mooring zone" means a zone described in regulation 23(1);

"multiple use zone" means a zone described in regulation 18(1);

"non-citizen" means any person other than a citizen of Mauritius;

Added by [GN No. 196 of 2007]

"Permanent Secretary" means the Permanent Secretary of the Ministry responsible for the subject of fisheries;

"permit" means a permit issued by the Permanent Secretary for a specific purpose under these regulations;

"skilane" means a zone described in regulation 22(1);

"strict conservation zone" means a zone described in regulation 20(1);

"structure" includes a building, fence, gate, notice, sign, marker, post, jetty, buoy, float, mooring, breakwater, groyne slipway floating pontoon or cairn:

Amended by [GN No. 196 of 2007]

"swimming zone" means a zone described in regulation 24,

"traffic lane" means a zone described in regulation 21(1).

PART II - ADMINISTRATIVE PROVISIONS

3. Application for Permits and for renewal of permits

Amended by [GN No. 196 of 2007]

- (1) Any person who requires a permit under these regulations shall apply in writing to the Permanent Secretary in such form as may be approved.
- (2) The Permanent Secretary may, on payment by the applicant of an approved fee into the Marine Protected Area Funds, issue or renew a permit subject to such terms and conditions as he may decide.

Amended by [GN No. 196 of 2007]

4. Charges

The Permanent Secretary may, with the approval of the Minister impose charges for -

- (a) the admission to any Marine Park or Marine Reserve or to any building situated therein;
- (b) the use of any building, dock, mooring or other structure, or of any equipment in a Marine Park or Marine Reserve;
- (c) the provision of any services or assistance to any visitor to a Marine Park or Marine Reserve;
- (d) the issue of any permit or grant of any authority under these regulations.

PART III- GENERAL PROVISIONS FOR THE PRESERVATION OF MARINE PROTECTED AREAS

5. Interference in Marine Protected Areas

(1) No person shall-

- (a) build or place any dam, pier, dock, jetty, sign, mooring device or any other structure;
- (b) interfere with, dig up, collect or remove any sand, mud, rock, rubble, mineral or other natural substance;
- (c) remove, or otherwise interfere with, any object of archaeological or historical interest,

in a Marine Protected Area, unless he holds a permit.

(2) No person shall, in any Marine Protected Area-

- (a) discharge or deposit any waste, oily liquid, acid or other chemical or toxic or polluting substance;
- (b) damage, deface, or otherwise interfere with any marine flora or fauna, rock or infrastructure by writing or marking it in anyway.

(3) No person shall, in any Marine Park or Marine Reserve, engage in any commercial activity, unless he holds a permit.

(4) No person shall, in any Marine Park or Marine Reserve,

- (a) take any photograph;
- (b) shoot any film, by way of video-recording or otherwise, for a commercial purpose, unless he holds a permit.

PART IV - GENERAL PROHIBITIONS WITHIN SPECIFIC MARINE PROTECTED AREAS

6. Prohibition within Fishing Reserves

(1) Subject to paragraph (2), no person shall-

- (a) fish with any net in a Fishing Reserve;
- (b) beat the surface of water in a Fishing Reserve for the purpose of catching fish or luring fish to leave such an area.

(2) A person may fish with a bait gear in a Fishing Reserve if he holds a licence issued under section 31 of the Act authorizing him to do so.

- (3) No person shall fish with a basket trap in a Fishing Reserve unless he holds-
- (a) a licence issued under section 31 of the Act;
 - (b) a permit.

7. General prohibition within a Marine Reserve

Subject to regulation 8, the Permanent Secretary shall not issue any Permit-

- (a) for any extractive use;
 - (b) for any search, excavation or drilling operation,
- in any Marine Reserve.

8. Protection of flora and fauna in Marine Parks and Marine Reserves

No person shall -

- (a) take or kill any marine flora or fauna;
 - (b) fish;
 - (c) feed any marine fauna;
 - (d) have in his possession any fishing equipment;
 - (e) carry out any research or survey work,
- in a Marine Park or Marine Reserve, unless he holds a permit.

9. Prohibition of introducing animals or plants into Marine Parks or Marine Reserves

- (1) No person shall-
- (a) introduce any animal, or plant, in;
 - (b) cause any animal or plant to be introduced into; or
 - (c) to allow any animal or plant to remain in,
- any Marine Park or Marine Reserve, unless he holds a permit.
- (2) An officer may remove or cause to be removed from any Marine Park or Marine Reserve, any animal or plant introduced without the permission of the Permanent Secretary.

10. Interference with structure in Marine Parks and Marine Reserves

- (1) No person shall destroy, damage, deface, move, or otherwise interfere with, any structure placed by an officer in any Marine Park or Marine Reserve.
- (2) No person shall erect any sign, display or cause to be displayed, any writing in any Marine Park or Marine Reserve, unless he holds a permit.

11. Rubbish

No person shall deposit or leave any object, including any rubbish or litter, in any Marine Park or Marine Reserve, except in a receptacle or place provided for that purpose.

12. Use of Vessels

- (1) No person in charge of a boat or vessel shall enter a Marine Park or Marine Reserve in that boat or vessel unless he holds a permit for that boat or vessel.
- (2) The Permanent Secretary may authorise a boat or vessel to enter into a specified zone within a Marine Park or Marine Reserve.
- (3) Any person in charge of Liti3i boat or vessel authorised to enter a Marine Park or Marine Reserve shall not, in the Marine Park or Marine-
 - (a) use a passage other than one demarcated for entry into a Marine Park or Marine Reserve;
 - (b) exceed speed limits as determined for any zone;
 - (c) drop anchor in a place other than a mooring zone;
 - (d) discharge any waste from toilets;
 - (e) except in case of emergency-
 - (i) discharge contaminated bilge water;
 - (ii) empty any water-holding tanks;
 - (f) spill or discharge any fuel or oil;
 - (g) engage in any boat race, exhibition or competition;
Amended by [GN No. 196 of 2007]
 - (h) cause the boat or vessel to be moored to any device, other than a device specifically placed for the purpose of mooring a boat or vessel;
 - (i) cause the boat or vessel to be moored to any mooring device placed specifically for the use of boats or vessels transporting divers or snorkellers, for any continuous period longer than 90 minutes;

- (j) allow any diver or snorkeller to enter the water or remain in the water unless the boat or vessel is flying the "A-flag".
- (4) An officer may give directions to any person in charge of a boat or vessel for the purpose of-
 - (a) regulating the use of boats and vessels in any Marine Park or Marine reserve;
 - (b) avoiding inconvenience or risk of danger to persons having access to any Marine Park or marine reserve,and that person shall comply with those directions.
- (5) Notwithstanding paragraph(3)(c), when the safety of a boat or vessel or of a person on board a boat or vessel so requires, the person in charge of the boat or vessel may drop anchor in a Marine Park or Marine Reserve.

13. Use of Aircraft

- (1) No person in charge of an aircraft shall, except in an emergency, land or take off from any place in any Marine Park or Marine Reserve.
- (2) No person shall-
 - (a) drop any article from an aircraft into any Marine Park or Marine Reserve;
 - (b) fly an aircraft over any Marine Park or Marine Reserve for the purpose of dropping, or allowing a person to drop, any article from the aircraft into that Marine Park or Marine Reserve.

14. Limited access to certain areas in Marine Park and Marine Reserves

No person shall enter into, or remain in, any Marine Park or Marine Reserve, or zone thereof, where a sign is displayed prohibiting or restricting public access, unless he holds a permit.

15. Disturbance within Marine Parks and Marine Reserves

- (1) No person shall, in any Marine Park or Marine Reserve, play any radio, musical instrument or other similar device capable of emitting sound, at a volume above that authorized by an officer.
- (2) An officer may refuse admission to any person, or request any person to leave, any Marine Park or Marine Reserve where, in the opinion of the officer, the person-
 - (a) is intoxicated, inebriated or is in such other similar condition as would be likely to be offensive, or to cause annoyance, to other persons in a Marine Park or Marine Reserve;

- (b) has caused, or is likely to cause disturbance to marine flora or fauna in the Marine Park or Marine Reserve, or
- (c) has contravened, is contravening, or is likely to contravene these regulations.

16. Symbol of Marine Parks and Marine Reserve

No person shall, for any commercial purpose, copy, publish or otherwise use any symbol adopted by any Marine Park and marine Reserve or any device that closely resembles that symbol, unless he holds a permit.

PARK V-GENERAL PROVISIONS APPLYING TO DIFFERENT ZONES

17. Marine Park zoning

A Marine Park shall comprise different zones which may be Designated as-

- (a) a multiple use zone;
- (b) a conservation zone;
- (c) a strict conservation zone;
- (d) a traffic lane;
- (e) a skilane;
- (f) a mooring zone;
- (g) a swimming zone.

18. Multiple use zone

- (1) A multiple use zone shall be a zone within a Marine Park in which-
 - (a) a specified range of recreational activities is permitted;
 - (b) the fishing techniques to be used are limited;
 - (c) marine transportation is permitted.
- (2) No person shall, in any multiple use zone, practice any type of fishing except by line and basket trap unless he holds a permit.

19. Conservation zone

- (1) A conservation zone shall be a zone demarcated by green-coloured buoys or floats, or in such other manner as may be approved by the Permanent Secretary, within a Marine Park which is designed for conservation of important ecosystems and resources and in which a limited number of recreation activities is permitted.

Amended by [GN No. 196 of 2007]

- (2) No person shall enter into or remain in any conservation zone unless he holds a permit.
- (3) Subject to regulations 26 and 29, no person shall, in any conservation zone, practise any type of fishing.
- (4) No person in charge of any boat or vessel shall, in any conservation zone, cause the boat or vessel to move at a speed-
- (a) which causes a wash or a wake; or
 - (b) which exceeds 3 knots.

20. Strict conservation zone

- (1) A strict conservation zone shall be a zone demarcated by green-coloured buoys or floats, or in such other manner as may be approved by the Permanent Secretary, within a Marine Protected Area, which is designated primarily for conservation of sensitive or special ecosystems, resources or natural features, and within which a limited number of recreational activities is permitted.

Amended by [GN No. 196 of 2007]

- (2) No person shall enter into or remain in any strict conservation zone unless he holds a permit.
- (3) Subject to regulation 27, no person shall, in any strict conservation zone, practise any type of fishing or use any boat, craft or vessel.
- (4) No person authorized to use any boat or vessel shall in a strict conservation zone cause or allow the boat or vessel to move at a speed-
- (a) which causes a wash or a wake; or
 - (b) which exceeds 3 knots.

21. Traffic lane

- (1) A traffic lane shall be a zone demarcated by white-coloured buoys or floats with vertical red stripes, or in such other manner as may be approved by the Permanent

Secretary, within a Marine Protected Area which is designated for entry into or passage through the Marine Protected Area by a motorized boat or vessel.

Amended by [GN No. 196 of 2007]

- (2) No person shall, in any traffic lane, practise any type of fishing.
- (3) No person shall, in any traffic, swim, snorkel or dive.
- (4) Subject to paragraph (5), no person shall, in any traffic lane, operate or use any non-motorised boat or vessel.
- (5) Any person operating a motorized craft in a traffic lane, shall, give right of way to any non-motorised boat or vessel crossing the traffic lane.
- (6) No person in charge of any boat or vessel shall in any traffic lane, cause or allow the boat or vessel to move at a speed-
 - (a) which causes a wash or a wake; or
 - (b) which exceeds 3 knots.

22. Ski lane

- (1) A ski lane shall be a zone demarcated by orange-coloured buoys or floats, or in such other manner as may be approved by the Permanent Secretary, within a Marine Protected Area designated for water skiing.

Amended by [GN No. 196 of 2007]
- (2) Any part of a traffic lane may be designated as a ski lane.
- (3) A person shall not within a Marine Protected Area practise water skiing-
 - (a) other than in a ski lane,
 - (b) except with a permit from the Permanent Secretary;
 - (c) at such times as set out in a time schedule by the Permanent Secretary.
- (4) No person shall practise any type of fishing in any ski lane.
- (5) Subject to paragraph (6), no person shall operate or use any boat or vessel in a ski lane other than for purpose of skiing.
- (6) Where a ski lane is contiguous with a traffic lane, a person operating a ski boat in the ski lane-
 - (a) shall give right of way to any boat or vessel in the traffic lane;
 - (b) may, notwithstanding regulation 21(6) allow the boat to travel at a speed of more than 3 knots.

- (7) No person shall swim, snorkel or dive in any ski lane while skiing is in progress.

23. Mooring zone

- (1) A mooring zone shall be a zone within a Marine Protected Area designated for mooring of boats and vessels.
- (2) A mooring zone shall be demarcated at sea with white mooring buoys.
- (3) A person may cause his boat or vessel to enter and remain in a mooring zone but he shall not engage in any activity detrimental to a Marine Protected Area.
- (5) No person in charge of any boat or vessel shall, in any mooring zone, cause or allow the boat or vessel to move at a speed –
- (a) which causes a wash or a wake; or
- (b) which exceeds 3 knots.

24. Swimming zone

- (1) A swimming zone shall be a zone within a Marine Protected Area designated for swimming.
- (2) A swimming zone shall be demarcated on the seaward front by a line of yellow coloured floats and buoys.
- (3) No person shall, in a swimming zone, operate a motorized or non-motorized boat, craft, pedalo, kayak, surfboard or similar device.
- (4) No person shall, in a Marine Protected Area, swim elsewhere than in a swimming zone.
- (5) No person shall fish in a swimming zone.

PART VI-SPECIFIC PROVISIONS FOR BLUE BAY MARINE

25. Blue Bay Marine Park

- (1) The description of the boundaries of the Blue Bay Marine Park is set out in the First Schedule.
- (2) The different zones of the Blue Bay Marine Park are shown in the map set out in the Second Schedule.
- (3) The description of the boundaries of the respective zones within the Blue Bay Marine Park is set out in the Third Schedule.

26. Permissible fishing within a conservation

A person may, within the conservation zone of the Blue Bay Marine Park, fish by means of pole and line from the shore found within the area described in Part I of the Fourth Schedule.

27. Permissible activities within a strict conservation

- (1) For the purposes of this regulation, strict conservation zone A means the strict conservation zone referred to in Part I of the Third Schedule.
- (2) A person may, within the strict conservation zone A, use a glass bottom boat or a boat transporting snorkellers or divers for the purpose of snorkeling or diving within the zone.
- (3) The Permanent Secretary may, for the purposes of paragraph (2), set a time schedule during which diving, snorkelling and glass bottom boating shall be permitted.
- (4) For the purposes of this regulation, strict conservation zone B means the strict conservation zone referred to in Part II of the Third Schedule.
- (5) A person may, within the strict conservation zone B of the Blue Bay Marine Park, fish by means of pole and line from the shore found within the area described in Part II of the Fourth Schedule.

PART VII- SPECIFIC PROVISIONS FOR BALACLAVA MARINE PARK

28. Balaclava Marine Park

- (1) The description of the boundaries of the Balaclava Marine Park is set out in the Fifth Schedule.
- (2) The different zones of the Balaclava Marine Park are shown in the map set out in the Sixth Schedule.
- (3) The description of the boundaries of the respective zones within the Balaclava Marine Park is set out in the Seventh Schedule.

29. Permissible activities within conservation zone of Balaclava Marine Park

- (1) A person may, within the conservation zone of the Balaclava Marine Park, fish by means of pole and line from the shore.
- (2) Subject to regulation 19(2), a person may, within the conservation zone, use a glass-bottom boat or a boat transporting snorkellers and divers for the purpose of snorkeling and diving within the zone.

- (3) The Permanent Secretary may for purposes of paragraph (2), set a time schedule during which diving, snorkeling and glass-bottom boating shall be permitted.

PART VIII-OFFENCES AND PENALTIES

30. Offences and Penalties

A person who contravenes these regulations or fails to comply with any conditions of a permit or licence is issued under these regulations, shall commit an offence and shall, on conviction, be liable-

- (a) in the case of a first conviction, to a fine of not less than 2000 rupees and not more than 20,000 rupees;
- (b) in the case of a second conviction, to a fine not less than 20,000 rupees and not more than 35,000 rupees and to imprisonment for a term not exceeding six months;
- (c) in the case of a third or subsequent conviction, to a fine of not less than 35,000 rupees and not more than 50,000 rupees and to imprisonment for a term not exceeding two years.

FIRST SCHEDULE

(regulation 25(i))

DESCRIPTION OF BOUNDARIES OF BLUE BAY MARINE PARK

The Blue Bay Marine Park is bounded as follows:

Towards the East-Starting from a point at 1019589mE.972579mN

On the seashore, the boundary runs along an imaginary line bearing an angle of 153° 26' up to the coral reef, thence in the same direction to a point one kilometer from the coral reef.

Towards the South-From the last mentioned point, the boundary runs along another imaginary line parallel to and at a distance of one kilometer from the coral reef to a point on a third imaginary line bearing an angle of 135° from a point at 1017971mE, 971350mN on the seashore.

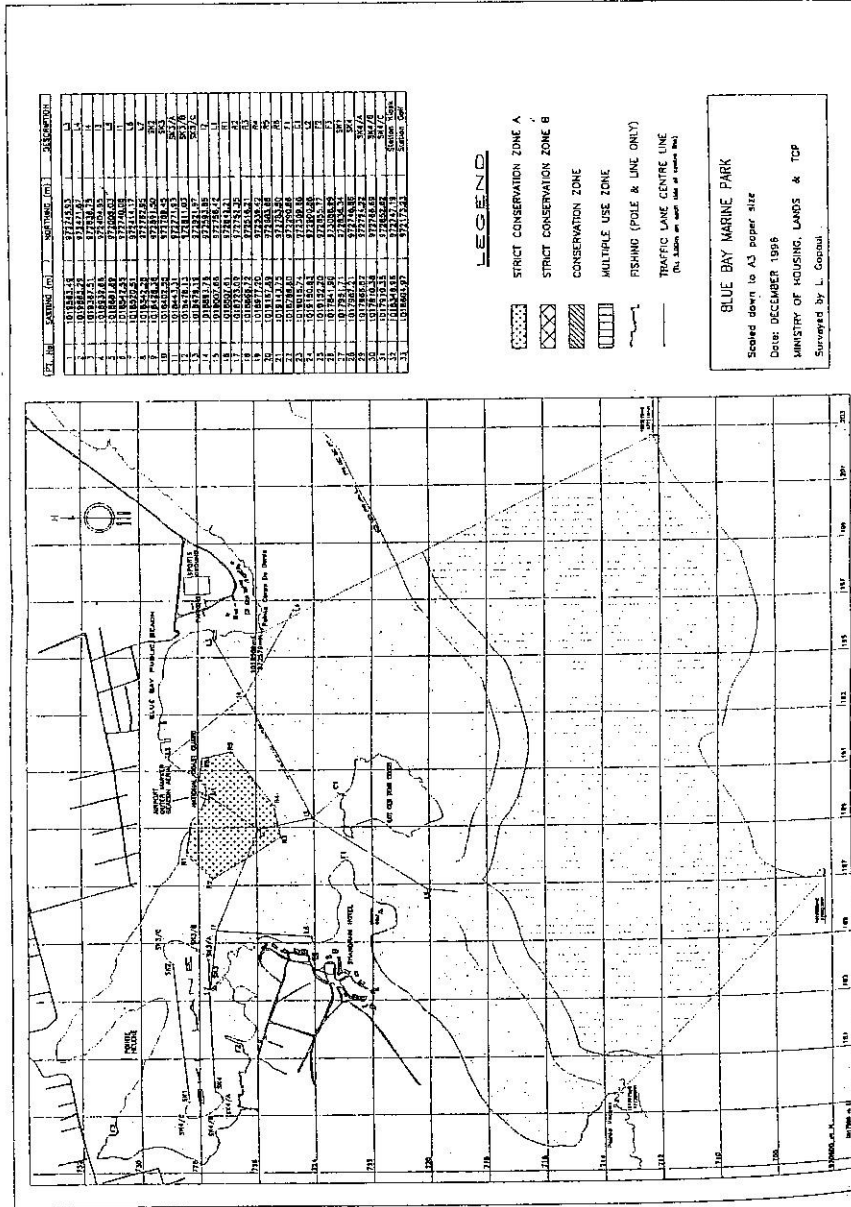
Towards the West-From the last mentioned point, the boundary runs along the said imaginary line parallel to the seashore.

Towards the North-From the last mentioned point, the boundary follows generally northeast along the seashore up to the starting point.

SECOND SCHEDULE

(regulation 25(2))

ZONING MAP OF BLUE BAY MARINE PARK



THIRD SCHEDULE

(regulation 25(3))

DESCRIPTION OF BOUNDARIES OF THE ZONES IN BLUE BAY MARINE PARK

PART I

Strict conservation zone A

This zone, of an approximate extent of 8.899 Ha is bounded as follows:

Starting from a point R6 located off Blue Bay coast and having plane co-ordinates 1019144mE, 972784mN the boundary runs south south easterly along an imaginary line to a point R5 located by 1019168mE, 972684mN, then south westerly to a point R4 located by 1018977mE, 972539mN, then west south westerly to a point R3 located by 1018867mE, 972516mN, then north westerly to a point R2 located by 1018723mE, 972752mN, then north easterly to a point R1 located by 1018808mE, 972842mN. From the last mentioned point the boundary runs towards the above mentioned starting point R6 along an imaginary line having a bearing of 99°54'26" until it meets the shoreline. The boundary then follows the coast until it meets the point where it intersects line R1-R6. the boundary then runs along this line to reach point R6.

PART II

Strict conservation zone B

This zone, of an approximate extent of 29.655 Ha is bounded as follows:

Starting from appoint R1 located by 1018808mE, 972842mN, the boundary runs south westerly along an imaginary line to a point R2 located by 1018723mE, 972752mN, then south easterly until it intersects line I1-I2 at a point located by 1018974mE, 972635mN. The boundary then runs north westerly to a point I1 located by 1018542mE, 972740mN, then west north westerly to a point L7 located on the coast by 1018342.3mE, 972762.9mN. It then follows the coastline passing through points F2 and F3 hereinafter described, goes round Pointe Helene and then runs in a general south easterly direction along the coast until it intersects line R1-R6. From the last mentioned point the boundary then runs west northwesterly until it reaches the above mentioned starting point R1.

Observation is hereby made that the ski lane hereinafter described shall be excluded from the said Strict Conservation Zone B.

PART III

Conservation zone

This zone, of an approximate extent of 146Ha is bounded as follows:

Starting from a point at Pointe Corps de Garde located by 1019589mE, 972579mN the boundary runs along an imaginary line bearing an angle of 153°26' up to the coral reef. The boundary then runs along the coral reef to a point on an imaginary line bearing an angle of 135° from a point at Pointe Vacoas located by 1017971mE, 971350mN. It then runs north westerly along the said line until it

meets the above mentioned point at Pointe Vacoas. The boundary then follows the coastline in a general north easterly direction passing through point F1 hereinafter described, continues in a general westerly direction, then runs in a general northerly direction along the coast to reach a point L7 located by 1018342.3mE, 972762.9mN. The boundary then runs east south easterly along an imaginary line to a point I1 located by 1018542mE, 972740mN, then east south easterly until it intersects line R2-R3 at a point located by 1018794mE, 972635mN. It then runs south easterly along the above mentioned line to reach point R3 located by 1018867mE, 972516mN then east north easterly to appoint R4 located by 1018977mE, 972539mN, then north easterly to a point R5 located by 1019168mE, 972784mN. The boundary then runs west north westerly to a point R6 located by 1019144mE, 972784mN. The boundary then runs west north westerly along line R6-R1 until it meets the coastline. It then follows the coastline in a general easterly direction, passing in front of the public beach and then in a general southerly direction to reach the above mentioned starting point at Pointe Corps de Garde.

Observation is hereby made that (1) Ilot des Deux Cocos is wholly situated within the above described conservation zone, (2) the part of the water lying seawards and contained within a distance not exceeding one hundred metres off the outer edge of the coral reef shall be deemed to form part of the above described conservation zone.

PART IV

Multiple use zone

This zone, of an approximate extent of 162Ha is bounded as follows:

Starting from a point lying on an imaginary line bearing an angle of 153°26' from a point at Pointe Corps de Garde located by 1019589mE, 972579mN and situated at a distance of one hundred metres measured from the outer edge of the coral reef along the said line, the boundary runs along the said imaginary line to a point located at a distance of one kilometer off the coral reef. From the last mentioned point, the boundary runs along another imaginary line parallel to and at a distance of one kilometer from the coral reef to a point on a third imaginary line bearing an angle of 135° from a point at Pointe Vacoas located by 1017971mE, 971350mN. From the last mentioned point, the boundary runs along the said third imaginary line to a point lying at a distance of one hundred metres measured from the outer edge of the coral reef. From the last mentioned point, the boundary then runs in a general north easterly direction along an imaginary line parallel to and at a distance of one hundred metres from the coral reef up to the above starting point.

PART V

Ski Lane

All water skiing shall be confined to the ski lane as demarcated on the map as set out in the Second Schedule.

The ski lane, of an approximate extent of 6.583 Ha is bounded as follows:

Starting from a point SK1 located by 101795mE, 972836mN, the boundary runs along a curve passing through points SK4/C located by 1017910mE, 972853mN, SK4/B located by 1017910mE, 972767mN, SK4/A located by 1017967mE, 972724mN and SK 4 located by 1017987mE, 972747mN. From the last mentioned point, the boundary then runs along a straight line to reach a point SK3 located by 1018402mE, 972769mN. It then runs along a curve passing through points SK3/A located by 101844mE, 972770mN, SK3/B located by 1018478mE, 972811mN, SK3/C located by 1018479mE, 972925mN and SK2 located by 1018428mE, 972892mN. From the last mentioned point the boundary then runs along a straight line to reach the above mentioned starting point SK1.

PART VI

Traffic lane

All motorized navigation shall be confined to the traffic lanes as laid out on the map in the Second Schedule. The traffic lanes shall be ten metres wide. The center line layout of the traffic lanes are described as follows:

Jetty L3 to the open sea

Starting from a point L3 located on the coast by 1019563.49mE, 972745.93mN the traffic lane center line proceeds in a south westerly direction passing through a point I4 located by 1019368mE, 972637mN until it reaches point I3 located by 1018933mE, 972405mN. From the last mentioned point, the lane then proceeds southwesterly until it reaches a point L5 located by 101868mE, 972009mN. From the last mentioned point, the lane then proceeds southerly through the pass out into the open sea.

Jetty L7 to the open sea

Starting from a point L7 located on the coast by 1018342.28mE, 972762.95mN the traffic lane center line proceeds in an east south easterly direction until it reaches a point I1 located by 1018542mE, 972740mN. From the last mentioned point, the lane then proceeds south easterly until it reaches a point I2 located by 1018894mE, 972594mN. From the last mentioned point, the lane then proceeds south south easterly until it reaches a point I3 located by 1018933mE, 972405mN. From the last mentioned point, the lane then proceeds southwesterly until it reaches a point L5 located by 1018682mE, 972009mN. From the last mentioned point, the lane then proceeds southerly through the pass out into the open sea.

Jetty L6 to the open sea

Starting from a point L6 located on the coast by 1018520.51mE, 972414.17mN the traffic lane center line proceeds north north easterly direction until it reaches a point I1 located by 1018542mE, 972740mN. From the last mentioned point, the lane then proceeds south easterly until it reaches a point I2 located by 1018894mE, 972594mN. From the last mentioned point, the lane then proceeds south south easterly until it reaches a point I3 located by 1018933mE, 972405mN. From the last mentioned point, the lane then proceeds southwesterly until it reaches a point L5 located by 1018682mE, 972009mN. From the last mentioned point, the lane then proceeds southerly through the pass out into the open sea.

Jetty L1 to the open sea

Starting from point L1 located on the National Coast Guard landing platform by 1019007.66mE, 972756.42mN the traffic lane center line proceeds in a south westerly direction until it reaches a point I2 located by 1018894mE, 972594mN. From the last mentioned point, the lane then proceeds south south easterly until it reaches a point I3 located by 1018933mE, 972405mN. From the last mentioned point, the lane then proceeds southwesterly until it reaches point L5 located by 1018682mE, 972009mN. From the last mentioned point, the lane then proceeds southerly through the pass out into the open sea.

Jetty L2 to L4

Starting from a point L2 located on the coast by 1019150.63mE, 972900.88mN the traffic lane center line proceeds in a south easterly direction until it reaches a point I4 located by 1019368mE, 972637mN. From the last mentioned point, the lane center line then proceeds east south easterly to reach point L4 located by 1019665mE, 972472mN.

Jetty L1 to Jetty C1 (on Ilot des Deux Cocos)

Starting from a point L1 located on the National Coast Guard landing platform by 1019007.66mE, 972756.42mN the traffic lane center line proceeds in a south westerly direction until it reaches a point I2 located by 1018894mE, 972594mN. From the last mentioned point, the lane then proceeds south south easterly until it reaches a point I3 located by 1018933mE, 972405mN. From the last mentioned point, the lane then proceeds southwesterly until it reaches point I3 located by 1018933mE, 972405mN. From the last mentioned point, the lane then proceeds southeasterly to reach point C1 located by 1019015.74mE, 972309.66mN.

FOURTH SCHEDULE

(regulation 26)

POLE AND LINE FISHING AREAS FROM THE SHORE

PART I

DESCRIPTION OF POLE AND LINE FISHING AREA IN THE BLUE BAY MARINE PARK FROM THE SHORE WITHIN THE CONSERVATION ZONE

Starting from a point located at Pointe Vacoas by 1017971mE, 971350mN the fishing area runs in a general north easterly direction along the coast to reach a point F1 located by 1018786.80mE, 972290.86mN.

F1 refers to the point so marked in the map set out in the Second Schedule.

PART II

DESCRIPTION OF POLE AND LINE FISHING AREA IN THE BLUE BAY MARINE PARK FROM THE SHORE WITHIN THE CONSERVATION ZONE B

Starting from a point F2 located by 1018152.20mE, 972655.77mN the fishing area runs in a general northerly direction along the coast to reach a point F3 located by 1017841.90mE, 973088.99mN.

F2 and F3 refer to the point so marked in the map set out in the Second Schedule.

FIFTH SCHEDULE

(regulation 28(1))

DESCRIPTION OF BOUNDARIES OF BALACLAVA MARINE PARK

The Balaclava Marine Park is bounded as follows:

Towards the East-Starting from point MPL16 having coordinates 999 196mE, 1015498m N on the seashore, the boundary runs South West along the seashore up to a point at MPL1 at 997 896mE, 1011883mN.

Towards the South - From the last mentioned point, the boundary runs towards the West along an imaginary line up to the coral reef, hence again in the same direction to a point one kilometer from the coral reef.

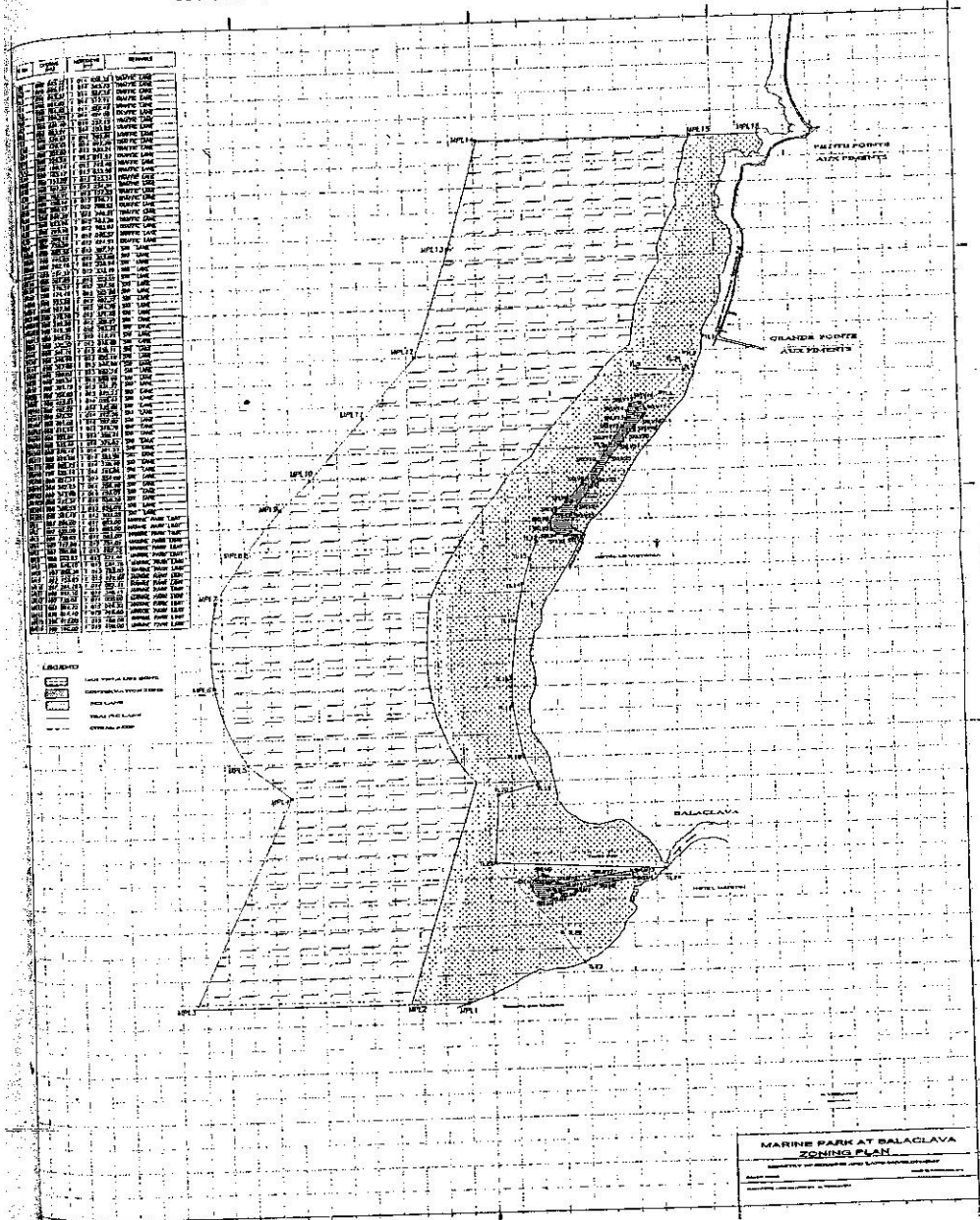
Towards the West - From the last mentioned point, the boundary runs generally North East along another imaginary line parallel to and at a distance of one kilometer from the coral reef up to a point on a third imaginary line running due west from the starting point.

Towards the North - From the last mentioned point, the boundary runs east along the said imaginary line to the starting point.

SIXTH SCHEDULE

(regulation 28(2))

ZONING MAP OF BALACLAVA MARINE PARK



SEVENTH SCHEDULE
(regulation 28(3))

DESCRIPTION OF BOUNDARIES OF THE ZONES IN BALACLAVA MARINE PARK

PART I

Multiple use zone

The multiple use zone of the approximate extent of 313ha is described as follows:

Towards the South-Starting from a point MPL2 having coordinates 997655mE, 1011883mN being approximately one hundred metres measured seaward from the reef crest and run along an imaginary line at a bearing of 270° up to point MPL3 having coordinates 996759mE, 1011883mN being 1000m measured seaward from the reef crest.

Towards the West-Starting from the last mentioned point the boundary runs along an imaginary line through points MPL4 having coordinates 997178mE, 1012754mN; MPL5 having coordinates 997000mE, 1012892mN; MPL6 having coordinates 996864mE, 1013221mN; MPL7 having coordinates 996876mE, 1013585mN; MPL8 having coordinates 997006mE, 1013792mN; MPL9 having coordinates 997156mE, 1013973mN, MPL10 having coordinates 997285mE, 1014348mN; MPL11 having coordinates 997512mE, 1014000mN; MPL12 having coordinates 997885mE, 1015046mN; MPL13 having coordinates 997885mE, 1015046mN and finally to point MPL14 having coordinates 998014mE, 1015498mN.

Towards the North-Starting from the last mentioned point the boundary runs along a line at a bearing of 90° up to point MPL15 having coordinates 998912mE, 1015498mN, being approximately one hundred metres seaward from the reef crest.

Finally towards the East- Starting from the last mentioned point the boundary runs along an imaginary line up to point MPL2.

PART II

Conservation Zone

The conservation zone of the approximate extent of 167ha is described as follows:

Towards the South-Starting from a point MPL1 having coordinates 997896mE, 1011883mN, the limit runs along an imaginary line at a bearing of 270° up to a point MPL2 having coordinates 997655mE, 1011883mN being located approximately one hundred metres measured seaward from the reef crest.

Towards the West- Starting from the last mentioned point the limit runs along an imaginary line in a general northerly direction approximately 100m parallel to the reef crest seaward up to a point MPL5 having coordinates 998912mE, 1015498mN.

Finally towards the East-Starting from the last mentioned point, the limit runs generally along the high water mark of the sea up to point MPL1.

PART III
Ski Lane

All water skiing be confined to the two ski lanes demarcated on the maps as set out in the Sixth Schedule.

Ski lane in Pointe aux Piments Lagoon

The Pointe aux Piments ski lane of the approximate extent of 3 ha is described as follows:

Towards the South-East-Starting from a point SKLV19 having coordinates 998652mE, 1014286mN the boundary line runs along an imaginary line to a point SKLV20 having coordinates 998621mE, 1014254mN at a bearing of 223°21'34" and from this point to another point SKLV21 having coordinates 998582mE, 1014206mN at a bearing of 218°45'42" and from this point to another point SKLV22 having coordinates 998544mE, 1014157mN at a bearing of 218°16'27" and from this point to another point SKLV23 having coordinates 998472mE, 1014058mN at a bearing 215°56'15" and from this point to another point SKLV24 having coordinates 998398mE, 1013956mN at a bearing 215°49'48".

Towards the South West-Starting from the last mentioned point the boundary runs along a curve through points SKLV25 having coordinates 998381mE, 1013903mN, SKLV1 having coordinates 998370mE, 1013489mN, SKLV2 having coordinates 998361mE, 1013838mN, SKLV3 having coordinates 998347mE, 1013835mN, SKLV4 having coordinates 998317mE, 1013845mN, SKLV5 having coordinates 998290mE, 1013862mN, SKLV6 having coordinates 998285mE, 1013899mN, SKLV7 having coordinates 998301mE, 1013932mN and SKLV8 having coordinates 998355mE, 1013975mN.

Towards the North-West-Starting from the last mentioned point the limit runs along an imaginary line to a point SKLV9 having coordinates 998424mE, 1014055mN at a bearing of 40°39'00" and from this point to another point SKLV10 having coordinates 998492mE, 1014136mN at a bearing of 40°31'20" and from there to a point SKLV11 having coordinates 998548mE, 1014212mN at a bearing of 35°42'51" and from this point to another point SKLV12 having coordinates 9980601mE, 1014287mN at a bearing 35°42'09".

Finally towards the North East-Starting from the last mentioned point the limit run along a curve through the following coordinates namely SKLV13 having coordinates 998617mE, 1014317mN, SKLV14 having coordinates 998622mE, 1014350mN, SKLV15 having coordinates 998635mE, 1014377mN, SKLV16 having coordinates 998676mE, 1014381mN, SKLV17 having coordinates 998696mE, 1014354mN, SKLV18 having coordinates 998683mE, 1014318mN and SKLV19 having coordinates 998652mE, 1014287mN.

Ski lane in Turtle Bay

The Turtle Bay ski lane of the appropriate extent of 2ha is described as follows:

Towards the South-Starting from a point SKLM1 having coordinates 998605mE, 1012388mN the boundary runs along an imaginary line to a point SKLM2 having coordinates 998446mE, 1012363mN at a bearing of 333°46'54" and from this point to another point SKLM3 having coordinates 998292mE, 1012338mN at a bearing of 333°46'54".

Towards the West-Starting from last mentioned point the boundary runs along a curve through the coordinates namely SKLM4 having coordinates 998274mE, 1012333mN, SKLM5 having coordinates 998261mE, 1012324mN, SKLM6 having coordinates 998220mE, 1012307mN, SKLM7 having coordinates 998174mE, 1012363mN, SKLM8 having coordinates 998223mE, 1012382mN, SKLM9 having coordinates 998268mE, 1012382mN, SKLM10 having coordinates 998280mE, 101237mN and SKLM11 having coordinates 998295mE, 1012369mN.

Towards the North-Starting from the last mentioned point the boundary runs along an imaginary line to a point SKLM12 having coordinates 998445mE, 1012393mN at a bearing of 80°47'12" and from this point to another point SKLM13 having coordinates 998596mE, 1012418mN at a bearing of 80°47'12".

Finally towards the East-Starting from the last mentioned point to a point SKLM1 having coordinates 998606mE, 1012388mN at a bearing of 161°33'54".

PART IV

Traffic Lane

All motorised navigations shall be confined to the traffic lanes as laid out on the map in the Sixth Schedule. The traffic lanes shall be 10 metres wide.

The center line layout of the Traffic Lanes are described as follows:

Starting from a point TL1 having coordinates 998945mE, 1014656mN the center line runs along an imaginary line to another point TL2 having coordinates 998865mE, 1014590mN at a bearing of 230°18'33" and from this point to another point TL3 having coordinates 998843mE, 1014567mN at a bearing of 224°09'22" and from this point to another point TL4 having coordinates 998862mE, 1014517mN at a bearing of 159°50'59" and from this point to another point TL6 having coordinates 998764mE, 1014424mN at a bearing of 226°21'52" and from this point to another point TL7 having coordinates 998661mE, 1014357mN at a bearing of 236°56'16" and from this point to another point TL8 having coordinates 998603mE, 1014284mN at a bearing of 218°25'35" and from this point to another point TL9 having coordinates 998529mE, 1014204mN at a bearing of 222°28'56" and from this point to another point TL10 having coordinates 998426mE, 1014048mN at a bearing of 213°33'06" and from this point to another point TL11 having coordinates 998367mE, 1013930mN at a bearing of 225°27'45" and from this point to another point TL12 having coordinates 998225mE, 1013812mN at a bearing of 214°22'17" and from this point to another point TL13 having coordinates 998196mE, 1013742mN at a bearing of 225°18'40" and from this point to another point TL14 having coordinates 998163mE, 1013473mN at a bearing of 196°54'09" and from this point to another point TL15 having coordinates 998131mE, 1013473mN at a bearing of 191°18'33" and from this point to another point TL16 having coordinates 998107mE, 1013234mN at a bearing of 185°40'21" and from this point to another point TL17 having coordinates 998108mE, 1013127mN at a bearing of 179°41'06" and from this point to another point TL18 having coordinates 998150mE, 1012910mN at a bearing of 168°45'35" and from this point to another point TL19 having coordinates 998208mE, 1012788mN at a bearing of 154°47'09" and from this point to another point TL20 having coordinates 998041mE, 1012748mN at a bearing of 256°26'26" and from this point to another point TL21 having coordinates 998024mE, 1012464mN at a bearing of 183°29'08" and from this point to another point TL22 having coordinates 998299mE, 1012163mN at a bearing of 137°29'44" and to a last point TL23 having coordinates 998390mE, 1012041mN at a bearing of 143°29'24".

A Traffic lane which lead to the sea through a pass the center of which starts from a point TL4 having coordinates 998862mE, 1014517mN to another point TL5 having coordinates 998762mE, 1014522mN at a bearing of 272°57'58"

A Traffic lane starts from point TL21 having coordinates 998024mE, 1012464mN to another point TL24 having coordinates 998740mE, 1012424mN at a bearing of 93°08'05".

CHARGES FOR MARINE PROTECTED AREAS PERMITS

- | | | |
|----|--|--|
| 1. | Basket trap permit in Fishing Reserves | No charge will be levied for registered fishermen Rs 1,000 yearly for non registered fishermen |
| | Re. - 6(3)(b) | |

Amended by [GN No. 196 of 2007]

- | | | |
|----|--|---|
| 2. | Permissible activities permit within Marine Parks/Marine Reserves
Re. 8(a-e) | Rs 200 yearly |
| 3. | Plant/Animal introduction permit in Marine Parks/Marine Reserves
Re. 9(1) | Rs 1000 yearly |
| 4. | Display permit in Marine Parks/Marine Reserves
Re. 10(2) | Rs 10,000 yearly |
| 5. | Boat/Vessel permit in Marine Parks/Marine Reserves
AF - Artisanal fishing boat for registered fishermen

Other Boats/Vessels
Re. - 12(1) | No charge

Rs 5,000 yearly or Rs 100 weekly |
| 6. | Interference permit in Marine Protected Areas

Re. - 5(1) | |

(a) for permanent structures

A charge of Rs 75,000 will be levied. A charge of Rs 7,000 will also be levied yearly for the renewal of the permit

(b) for temporary structures

A charge of Rs 7,000 per month or part thereof will be levied

7. Commercial activity permit in Marine Parks/Reserves (Glass bottom boating, boat transporting persons for the purpose of snorkelling, diving)

Rs 5,000 yearly

Re. - 5(3)

Amended by [GN No. 196 of 2007]

8. Photography for commercial purposes permit in Marine Parks/Marine Reserves
Re. 5

Rs 5000 annually

9. Access permit to restricted zone within Marine Parks/Marine Reserves
Re. 14

Per day Rs 1000

10. Marine Parks/ Marine Reserves symbol permit
Re. -16

A charge of Rs 25,000 will be levied.

11. Recreational permit in Multiple Use Zone and Conservation Zone (e.g. pedalo, kayak, laser, wind surfing, hobbie cat)

Rs 1,000 yearly

Re. - 18(1)(a), 19(1)

- | | | |
|-----|--|---|
| 12. | Line/Basket trap fishing permit in Multiple Use Zone. | No charge will be levied for registered fishermen |
| | Re. - 18(2) | Rs 1,000 yearly for non-Registered fishermen |
| 13. | Diving/Snorkelling permit in Multiple Use Zone and Conservation Zone | Rs 100 per day per person |
| | Re. - 18(1a), 19(1), 20(1) | |
| 14. | Access permit to Conservation Zone/Strict Conservation Zone | (a) Citizen Rs 20 per trip |
| | | (b) Non-citizen Rs 100 per trip |
| | Re. - 19 (2), 20(1)(2) | |
| 15. | Ski permit in Marine Protected Areas | Rs 200 per person per hour |
| | Re. – 22(3)(b) | |

Amended by [GN No. 196 of 2007]