

LAWS OF SEYCHELLES

WILD ANIMALS AND BIRD PROTECTION ACT

CHAPTER 247

(SUBSIDIARY LEGISLATION)

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BY

SECTION 2

THE WILD BIRDS PROTECTION REGULATIONS

SI. 26 of 1966.

SI. 40 of 1968.

[18th April, 1966]

SI. 19 of 1999

ARRANGEMENT OF REGULATION

REGULATION

1. Citation.
2. Interpretation.
3. Birds declared protected.
4. No person shall shoot etc., any protected bird.
5. No person shall take etc., eggs or nests of any protected bird.
6. Offences and penalties.

Citation. 1 These regulations may be cited as the Wild Birds Protection Regulations.

Interpretation. 2 In these regulations unless the context otherwise requires "bird" means a wild land or sea bird whether alive or dead and includes the plumage or skin thereof.

Birds declared protected. 3(1) All birds, except as hereafter provided, are hereby declared to be protected throughout Seychelles during the whole year.

(2) The following birds shall not be protected -

- (a) the Cardinal Bird or Tisserin (*Foudia Madagascariensis*), the African Barn Owl or Hibou, the Mynah and the House Sparrow;

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- (b) the Seychelles Bulbul or Merle (*Ixocincla Crasirostris*) on the islands of Frigate, La Digue and Praslin, from the 15th April to the 15th November (both dates inclusive);
- (c) the Cattle Egret or Madame Paton (*Bubulcus Ibis*) and the Grey Heron or Florentin (*Ardea Cinerea*) on the islands where sea birds lay their eggs and listed in the Schedule to the Birds' Eggs (Collection) Regulations;
- (d) the nestling of the Wedge-tailed Shearwater or Fouquet (*Procellaria Pacifica Hamiltoni*) from the 1st January to the 31st March (both dates inclusive) on all islands except Beacon or Ile Sèche, Les Mamelles, North Cousin or Cousin, South Cousin or Cousin and Vache Marine.

No person
shall shoot
etc., any
protected
bird.

4 No person shall -

- (1) shoot, kill or take, or
- (2) purchase, sell or exhibit for sale, or export, any bird declared to be protected under regulation 3.

No person
shall take
etc., eggs or
nests of any
protected
bird.

5 No person shall take, purchase, sell, exhibit for sale, destroy or tamper with the eggs or nests of any bird declared to be protected under regulation 3:

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Provided that this regulation shall not be deemed to affect in any way the provisions of Birds' Eggs Act and of any regulations made thereunder which shall have full force and effect.

Culling and controlling of bird population 5A.(1) The Minister may, in the interest of public health and safety or for the purposes of conservation of a species or sub-species of wild animal or bird, authorise by notice in the *Gazette*, the culling, selective culling or controlling of certain bird populations.

(2) The Notice shall specify the area and period within which the acts authorised will be carried out.

Offences and penalties. 6. Any person who contravenes regulation 4 or regulation 5 shall be guilty of an offence and shall be liable to the penalties provided under section 3 of the Act.

THE WILD BIRDS PROTECTION (NATURE RESERVES) REGULATIONS

SI. 27 of 1696

SI. 104 of 1975

[18th April, 1966]

SI. 72 of 1976

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation.
2. Interpretation.
3. Appointment of wardens.
4. Powers and rights of wardens.
5. Powers and rights of resident wardens.
6. No person to disturb etc., birds in nature reserve or tamper with etc. birds' eggs and nests.
7. Owner's responsibility with regard to nature reserve.
8. Owner to give facilities for accommodation of resident wardens.
9. No person to obstruct or hinder wardens and resident wardens.
10. Offences and penalties.

Citation.	1 These regulations may be cited as the Wild Birds Protection (Nature Reserves) Regulations.
Interpretation.	2 In these regulations unless the context otherwise requires -
S.I. 72/1976.	"bird" means any wild land or sea bird.
	"nature reserve" means any island or place declared in the schedule hereto to be a nature reserve;
	"the owner" includes the lessee, the usufructuary or the person in actual occupation;
	"resident warden" means a warden directed by the President to reside in a specified nature reserve under the provisions of regulation 3;
	"warden" means a person appointed to be warden of nature reserves under the provisions of regulation 3.
Appointment of wardens.	3 The President may appoint such number of persons as he may deem necessary to be wardens of nature reserves and may
S.I. 72/1976.	direct that any such person or persons shall reside in any nature reserve specified by him.
Powers and rights of warden.	4 A warden may enter upon, visit and inspect any island or place declared to be a nature reserve.
Powers and rights of	5 A resident warden may live on any island or in any place declared to be a nature reserve and shall have access to

resident warden. any part of such island or place. A resident warden shall have all the powers and rights conferred upon a warden by these regulations.

No person to disturb etc., birds in nature reserve or tamper with etc., birds' eggs and nests.
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6 No person may, in a nature reserve, -

- (a) disturb, catch, take, shoot or kill, or
- (b) tamper with, take or destroy the eggs or nests of,

any bird except a bird which is not protected under the provisions of subregulation (2) of regulation 3 of the Wild Birds Protection Regulations:

Provided that this regulation shall not be deemed to affect in any way the provisions of the Birds' Eggs Act and of any regulations made thereunder which shall have full force and effect.

Owner's responsibility with regard to nature reserve
S.I. 104/1975.

7 The owner of any island or place declared to be a nature reserve -

- (a) shall not do, allow or suffer to be done, in such nature reserve, anything which would adversely affect the bird life and in this respect shall follow any directions which may be given to him by the Chief Agricultural Officer or by a warden, and
- (b) shall take such measures as the Chief Agricultural Officer may direct for the protection of the bird life subject to the cost of implementing such measures being borne by the Government of Seychelles.

Owner to

8 The owner of any island or place declared to be a

give facilities for accommodation of resident wardens.	nature reserve shall give all facilities for the accommodation of resident wardens on such island or in such place subject to any cost arising therefrom being borne by the Government of Seychelles.
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No person to obstruct or hinder wardens and resident wardens.	9 No person shall obstruct or hinder a warden or a resident warden in the execution of his duties or in the exercise of any power or right conferred upon him by these regulations.
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Offences and penalties.	10 Any person who contravenes or fails to comply with any provision of regulations 6, 7, 8 or 9 shall be guilty of an offence and shall be liable to the penalties provided under section 3 of the Act.
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SCHEDULE

The following island are declared to be nature reserves -

Beacon or Ile Séche
Booby or Ils aux Fous
Boudeuse
Etoile
King Ross or Lamperiaire
Les Mamelles
North Cousin or Cousin
Vache Marine

The following places are declared to be nature reserves -

The Vallée de Mai, Praslin.

**THE WILD ANIMALS (SEYCHELLES POND TURTLE)
PROTECTION REGULATIONS**

S.I. 30 of 1966.

[19th May, 1966]

ARRANGEMENT OF REGULATIONS

REGULATIONS

1. Citation.
2. Seychelles Pond Turtle declared protected.
3. Taking, keeping and killing Seychelles Pond Turtle prohibited.
4. Purchase, selling etc., of preserved or stuffed Seychelles Pond Turtle prohibited.
5. Offences and penalties.

Citation. 1 These regulations may be cited as the Wild Animals (Seychelles Pond Turtles) Protection Regulations.

Seychelles
Pond Turtle
declared
protected. 2 The Seychelles Pond Turtle or Tortue Soupape is hereby declared to be protected throughout Seychelles.

Taking,
keeping and
killing
Seychelles
Pond Turtle
prohibited. 3 No person shall take, keep or kill any Seychelles Pond Turtle or Tortue Soupape.

Purchase,
selling etc.,
of preserved
or stuffed 4 No person shall purchase, sell or exhibit for sale, or export any preserved or stuffed Seychelles Pond Turtle or Tortue Soupape.

Seychelles
Pond Turtle
prohibited.

Offences and penalties. 5 Any person who contravenes regulation 3 or regulation 4 shall be guilty of an offence and shall be liable to the penalties provided under section 3 of the Act.

**THE WILD ANIMALS (GIANT LAND TORTOISES)
PROTECTION REGULATIONS**

S.I. 59 of 1974.

S.I. 39 of 1999.

[24th June, 1974]

S.I. 40 of 2000

ARRANGEMENT OF REGULATIONS

REGULATIONS

1. Citation.
2. Giant Land tortoise declared protected.
3. Taking and killing Giant Land Tortoise prohibited.
4. Purchase or selling of preserved or stuffed Giant Land Tortoises prohibited.
5. Restriction on export of giant land tortoise.
6. Export of an adult Giant Land Tortoise as donation.
7. Application for registration.
8. Export of Giant Land Tortoise by tortoise breeders.
9. Export permits.

Citation. 1 These regulations may be cited as the Wild Animals (Giant Land Tortoises) Protection Regulations.

Giant Land tortoise 2 The Giant Land Tortoises (*Geochelone gigantea*) is hereby declared to be protected throughout Seychelles.

declared
protected.

Taking and
killing Giant
Land Tortoise
prohibited.

3 No person shall take or kill any Giant Land Tortoise.

Purchase or
selling of
preserved or
stuffed Giant
Land Tortoises
prohibited.

4 No person shall purchase, sell or exhibit for sale, or export any preserved or stuffed Giant Land Tortoise.

Restriction on
export of giant
Land tortoise.

5. No person except a tortoise breeder registered under regulation 7 shall export a Giant Land Tortoise.

Export of an
adult Giant
Land Tortoise
as donation.

6. Notwithstanding regulation 5, the Minister may export on behalf of the Government of Seychelles a maximum of 15 adult Giant Land Tortoise each year to any person or institution as a gift or for scientific purposes.

Application
for registration

7.(1) An application for registration as a tortoise breeder authorised to export Giant Land Tortoises shall be made to the Ministry of Environment.

(2) The Minister may direct an applicant for registration to furnish such particulars as it may consider necessary and the applicant shall comply with such direction.

(3) Upon receipt of an application under regulation 7(1), the Ministry of Environment may issue or refuse to issue a permit.

Export of Giant Land Tortoise by tortoise breeder. 8. A registered tortoise breeder shall export only verifiably captive bred juvenile tortoises after having obtained an export permit under regulation 9.

Export permit. 9.(1) An application for an export permit shall be made to the Ministry of Environment in respect of Giant Land Tortoises to be exported.

(2) An application for an export permit shall be accompanied by a fee of SR100/- in respect of each Giant Land Tortoise to be exported.

S.I. 46 of 1994

Wild Animals (Turtles) Protection Regulation

(11th July, 1994)

Citation and Commencement 1.(1) These Regulations may be cited as the Wild Animals (Turtles) Protection Regulations.

(2) These Regulations, other than regulation 5(2), shall come into force on the date of publication of these Regulations in the *Gazette*.

Interpretation 2. In these Regulations -

"calipee" includes the gelatinous membranes which connect the carapace to the plastron of a turtle;

"shell" includes the carapace, plastron or any part of a shell;

"turtle" includes the green turtle (*Chelonia mydas*), hawksbil turtle (*Eretmochelys imbricata*) and any other turtle which from time to time may be found in the territorial waters of Seychelles.

Turtles protected.	3. A turtle shall be a protected animal throughout Seychelles.
Prohibitions relating to turtles and turtle eggs.	4. (1) No person shall disturb, catch, injure, fish for, kill, sell, purchase, receive or possess any turtle. (2) No person shall possess, disturb, sell, purchase, receive, take, remove or cause to be taken or removed any turtle egg either while it is being laid, or after it has been laid, by a female turtle.
Prohibitions relating to turtle shell, furnished product and meat.	5. (1) Subject to regulation 6, no person shall possess, sell, expose for sale, purchase or receive any raw, worked or treated shell of a turtle. (2) No person shall sell, expose for sale, purchase or receive any product derived from any shell of a turtle. (3) No person shall possess, sell, expose for sale, purchase or receive any meat or any part of the flesh or calipee of a turtle.
Possession of turtle shell by permit holder.	6. (1) Any person who, on the commencement of these Regulations, is in possession of any raw, worked or treated shell of a turtle shall, within 90 days after the commencement of these Regulations, furnish the particulars of such shell to the Department of Environment of the Ministry of Foreign Affairs, Planning and Environment or to any authority designated by the Minister in such form as may be provided by the Department or authority. (2) The Department of Environment or the authority shall record in a register to be kept by the Department or authority

	(a) the name of each person who has furnished the particulars under subregulation (1); (b) the particulars so provided; and issue a permit to each such person to possess the shell. (3) Where the holder of a permit issued under subregulation (2) dies, any person who obtains possession of the turtle shell referred to in the permit by right of succession shall, within 90 days thereafter, surrender the permit of the deceased and furnish the particulars of such shell in the manner provided in subregulation (1) to the Department or authority referred to in that subregulation and the Department or authority shall record the name of the person in the register kept under that subregulation, cancel the permit issued to the deceased and issue the person a permit to possess the shell. (4) A holder of a permit issued under subregulation (2) or subregulation (3), may, notwithstanding regulation 5, possess the turtle shell referred to in the permit.
Prohibition on import or export.	7. No person shall export or import a turtle shell or any product of a turtle shell.
Offences.	8. Any person who contravenes regulation 4 or regulation 5 or regulation 7 is guilty of an offence and is liable on conviction to the penalties provided under section 3 of the Act.
Institution of proceedings.	9. A prosecution for an offence under these Regulations may be instituted by the Attorney-General, a police officer or any person authorised by the Minister.
Scientific research for	10. The Minister may grant permission to any person for carrying out in Seychelles scientific research on or

monitoring of
turtles.

monitoring
of turtles and any person who pursuant to such permission
does
any act prohibited by these Regulations shall not be deemed
to contravene these Regulations.

S.I. 1 of 2003

Wild Animals (Whales Shark) Protection Regulation

(3rd February 2003)

Citation **1.**(1) These Regulations may be cited as the Wild Animals
(Whales Shark) Protection) Regulations.

Declaration of **2.** The whale shark (*Rhincodon typus*) is declared to be
protected throughout Seychelles at all times.

Killing or taking
whale shark
prohibited **3.** No person shall kill or take a whale shark.

Saving **4.** Nothing in the preceding regulations shall be construed
as preventing otherwise legitimate fishing activities or
authorized scientific research.
