

S.I. 1981 No. 28

**The Marine Areas (Preservation and Enhancement)
Act Cap. 232A**

**THE MARINE AREAS (PRESERVATION AND
ENHANCEMENT) (BARBADOS MARINE
RESERVE) REGULATIONS, 1981**

The Parks and Beaches Commission, in exercise of the powers conferred on it by section 6 of the Marine Areas (Preservation and Enhancement) Act, makes the following regulations:

1. These regulations may be cited as the *Marine Areas (Preservation and Enhancement) (Barbados Marine Reserve) Regulations, 1981*.

2. For the purposes of these regulations,

“Commission” means the Parks and Beaches Commission established by section 3 of the Parks and Beaches Commission Act; Cap. 233A.

“fish” includes crabs, lobsters, shrimps, turtles, turtle’s eggs and any species of marine fauna;

“flora and fauna” includes any part of a coral reef or other deposit in its natural condition;

“reserve” means the Barbados Marine Reserve;

“zone” means any of the areas demarcated as restricted areas.

3.(1) For purposes of the management of the reserve, there are created four zones within the Park to be called

- (a) the Scientific Zone;
- (b) the Northern Watersports Zone;
- (c) the Recreational Zone; and
- (d) the Southern Watersports Zone.

(2) The zones shall be clearly demarcated as restricted areas by marine buoys of spherical shape and signs erected at points along the beach.

4. Any marine biologist, naturalist or other person authorised by the Commission may enter any zone for the purpose of ensuring that the reserve is being maintained for the maximum public use consistent with the primary purpose for which it was established.

5. Any person who

- (a) in the zone destroys, injures, disturbs or removes any sand, gravel, mineral, coral, sea feather, fans, shell, shell fish, starfish or other marine invertebrate, seaweed, grass or any soil, rock, artifact, stone or other material;
- (b) without the consent of the Commission, has in his possession within the boundaries of the reserve any of the things referred to in paragraph (a);

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- (c) cuts, carves, engraves, injures, mutilates, moves, displaces or breaks any bottom formation of growth in the zone;
 - (d) attaches any rope, anchor or other object to any coral, rock or other formation in the zone;
 - (e) except in a case of emergency where life and property may be endangered, casts or drags any anchor in such a way as to damage any coral reef formations in the zone;
 - (f) drops any anchor on sand flats off the reefs or places it so that it drifts into the coral formations of the zone;
 - (g) carries on any dredging, excavating or filling operations within the boundaries of the reserve;
 - (h) deposits any material in or on the waters of the reserve;
 - (i) constructs any structure, whether permanent or temporary, in the reserve;
 - (j) without the consent of the Commission, constructs or extends any public service facility into, upon or across the reserve;

- (k) discharges or deposits any waste materials into the waters of the reserve;
- (l) marks, defaces, damages or tampers with any sign, buoy, notice or placard installed by the Commission;
- (m) uses any speargun, hook, line, net, trap, poison, electric charge, explosive and similar device for the purpose of taking any fish;
- (n) has in his possession in the reserve any explosive;
- (o) handles or stands on any coral formations or otherwise disturbs the coral within the boundaries of the reserve;
- (p) without the consent of the Commission, carries any firearm or weapon, not being a diving knife, in the reserve; or
- (q) fails to present a specimen in accordance with paragraph 10(2),

is guilty of an offence and is liable on summary conviction to a fine of one thousand dollars or to imprisonment for six months or to both.

6. An activity except those specifically prohibited by paragraph 5 may be carried on in the reserve subject to any restriction or condition imposed by the Commission.

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7. Any person who desires to engage in any activity other than sightseeing may, on making application to the Commission in such form, and on payment of such fee, as the Commission determines, obtain a permit for that purpose.

8. A permit issued under Regulation 7

- (a) is not transferable;
- (b) must be in such form and is subject to such conditions as the Commission determines; and
- (c) is renewable upon application being made to the Commission.

9. Where a person to whom a permit is issued fails to comply with any of these regulations or with any condition contained in the permit, the Commission may cancel or refuse to renew the permit.

10.(1) No person shall remove any marine organism including rocks, dead coral, shells or sand or any artifact or other archaeological find unless he first obtains a permit from the Commission.

(2) Where a person who obtains a permit under paragraph (1) finds a specimen of an organism of which a similar specimen is not in the reference collection of the Barbados Museum, he shall present that specimen to any person in charge of the office of the Commission.

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11. The Bellairs Research Institute, Coral Reef Club or any other person or organisation desirous of engaging in scientific research approved by the Commission is entitled to apply to the Commission for a special permit for access to the beach or a mooring.

12. No permit is required for the conduct of any activity necessary for the protection of life, property or the environment.

13. No owner or person in charge of a fishing boat shall cause or permit it to enter the reserve.

14. The owner or person in charge of any boat used for the purposes of sightseeing, sport, pleasure or scientific research shall not cause or permit that boat to enter the reserve unless he applies to the Commission for registration of that boat.

15. No person shall operate a watercraft in such a manner as to cause damage to the natural features of the reserve.

16. No person shall operate a motor-boat or other craft, not being a boat used by a law enforcement official in the execution of his duties, in any zone other than the watersports zone at a speed greater than 3 knots or in such a manner as to create a wake in the vicinity of divers or boats from which research, diving or sightseeing is carried on.

17. There shall be flown from all boats from which diving operations are being carried on the "divers down" flag, being a white diagonal stripe on an orange back-ground.

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18. No person shall cause a boat under power to approach closer than 40 metres to a boat flying the "divers down" flag.

19. A diver shall remain within 30 metres of the boat from which he is diving.

20. Any person in charge of a watercraft shall use mooring buoys, stations or anchoring areas where such facilities are designated; and any moorings shall be registered with the Commission.

21. No person in charge of a speed boat, sail boat or jet ski shall permit it to enter any zone of the reserve other than the watersports zones.

22. Any person who operates a watercraft shall do so in accordance with the Barbados Harbours Regulations made under the Harbours Act.

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23. No person shall permit a watercraft to enter any area buoyed for bathing and swimming.

24. A person diving and snorkelling with floats as described under the Barbados Harbours Regulations made under the Harbours Act or swimming within the boundaries of the reserve is at his own risk.

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25. Any person may engage in photography, both surface and underwater, if it does not involve the installation of special settings or structures.

26. Any accidents involving personal injury or damage to property shall be reported to the Commis-

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sion as soon as possible by any person involved in the accident; but the Commission accepts no liability in this regard for any damage to any person or property.

27. Any member of the Barbados Defence Force Coast Guard may institute proceedings in a Magistrate's Court against any person who contravenes these regulations.

28. Any person who contravenes these regulations or fails to comply with any direction given to him by a member of the Barbados Defence Force Coast Guard or by any person authorised by the Commission is guilty of an offence and is, unless a penalty is otherwise provided for, liable on summary conviction to a fine of one thousand dollars or to imprisonment for six months or to both.

29. These Regulations shall come into operation on the 1st day of March, 1981

Made by the Parks and Beaches Commission
this 16th day of February, 1981.

IRIS BANNOCHIE
Chairman.

Approved by the Minister this 16th day of
February, 1981

LIONEL S. CRAIG
Minister responsible for Lands.