



BELIZE

**NATIONAL PARKS SYSTEM ACT
CHAPTER 215**

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CHAPTER 215

NATIONAL PARKS SYSTEM

CAP. 181A,
R.E. 1980-1990.
5 of 1981.
S.I. 4 of 1982.

[2nd January, 1982]

PART I

Preliminary

1. This Act may be cited as the National Parks System Act.

Short title.

2. In this Act, unless the context otherwise requires,

Interpretation.

“Administrator” means, in respect of any national park, nature reserve, wildlife sanctuary or natural monument, the person appointed under section 10 of this Act to be the Administrator of the unit;

“antiquity” has the same meaning as in the Ancient Monuments and Antiquities Act, Cap. 330;

“cave formation” means any stalagmite, stalactite or flowstone or any piece thereof;

“cultural feature” means historical and palaeontological sites and objects;

“to fish” means to take, kill or attempt to take or kill any aquatic organism;

“to hunt” means to kill, take, or molest by any method and includes attempting to kill, take or molest by any method any species of wildlife;

“Minister” means the Minister for the time being responsible for the National Parks System;

“national park” means any area established as a national park in accordance with the provisions of section 3 of this Act for the protection and preservation of natural and scenic values of national significance for the benefit and enjoyment of the general public;

“National Parks System” includes all national parks, nature reserves, wildlife sanctuaries and natural monuments;

“natural monument” means any area reserved for the protection and preservation of nationally significant natural features of special interest or unique characteristics to provide opportunities for interpretation, education, research and public appreciation;

“nature reserve” means any area reserved as a scientific reserve in accordance with the provisions of section 3 of this Act for the protection of nature be it biological communities or species and to maintain natural processes in an undisturbed state in order to have ecologically representative examples of the natural environment available for scientific study, monitoring, education and the maintenance of genetic resources;

“park offence” means any offence referred to in section 12 (1) of this Act and, where committed in a national park, nature reserve, wildlife sanctuary or natural monument, includes any offence under the Wildlife Protection Act, Cap. 220, the Ancient Monuments and Antiquities Act, Cap. 330 and the Fisheries Act, Cap. 210;

“park officer” means any person appointed under section 10 of this Act to be a park officer for the purposes of this Act, and includes any Administrator;

“wildlife” means all undomesticated mammals, birds and reptiles and all parts, eggs and nests of any of these wildlife forms.

“wildlife sanctuary” means any area reserved as a nature conservation reserve in accordance with the provisions of section 3 of this Act for the protection of nationally significant species, groups of species, biotic communities or physical features of the environment requiring specific human manipulation for their perpetuation;

PART II

National Parks, Nature Reserves, Wildlife Sanctuaries and Natural Monuments

3.-(1) The Minister may by Order published in the *Gazette* declare that any specified area of land shall for the purposes of this Act be,

Constitution of national parks, nature reserves, wildlife sanctuaries and natural monuments.

- (a) a national park;
- (b) a nature reserve;
- (c) a wildlife sanctuary;
- (d) a natural monument.

(2) The Minister may by Order published in the *Gazette* declare that from a specified date,

- (a) the limits of any national park, nature reserve, wildlife sanctuary or natural monument shall be altered or varied;
- (b) any national park, nature reserve, wildlife sanctuary or natural monument or part thereof shall cease to be a national park, nature reserve, wildlife sanctuary or natural monument.

4. Save as hereinafter provided,

Essential features.

- (a) no person shall be entitled to enter any national park except for the purpose of observing the fauna and flora therein and for the purpose of education, recreation and scientific research;
- (b) no person shall be entitled to enter any nature reserve or in any way disturb the fauna and flora therein;
- (c) no animal shall be hunted, killed or taken and no plant shall be damaged, collected or destroyed in a national park or nature reserve;

- (d) no person shall hunt, shoot, kill or take any wild animal, or take or destroy any egg of any bird or reptile or any nest of any bird, in any wildlife sanctuary;
- (e) no person shall disturb the natural features of a natural monument, but may use the unit for interpretation, education, appreciation and research.

Restriction of entry.

5.-(1) No person shall enter or remain within any national park except under the authority and in accordance with the conditions of a permit issued by the prescribed officer on payment of the prescribed fee.

(2) A permit under subsection (1) of this section, shall be issued only for the purpose of enabling the permit holder to study or observe the fauna and flora in a national park.

(3) No person shall enter or remain within any nature reserve, wildlife sanctuary or natural monument except under the authority and in accordance with the conditions of a permit issued by the prescribed officer on payment of the prescribed fee.

(4) If no fee is prescribed for the issue of a permit under subsection (1) or (3) of this section, such permit shall be issued free of charge.

Prohibited acts.

6. No person shall, within any national park, nature reserve, wildlife sanctuary or natural monument, except as provided under section 7 of this Act, or with the written authorisation of the Administrator,

- (a) permanently or temporarily reside in or build any structure of whatever nature whether as a shelter or otherwise;
- (b) damage, destroy or remove from its place therein any species of flora;
- (c) hunt any species of wildlife;
- (d) remove any antiquity, cave formation, coral or other object of cultural or natural value;

- (e) quarry, dig or construct roads or trails;
- (f) deface or destroy any natural or cultural features or any signs and facilities provided for public use and enjoyment;
- (g) introduce organic or chemical pollutants into any water;
- (h) clear land for cultivation;
- (i) graze domestic livestock;
- (j) carry firearms, spears, traps or other means for hunting or fishing;
- (k) introduce exotic species of flora or fauna;
- (l) catch fish by any means whatsoever;
- (m) do any other act which may be prohibited by any Order made by the Minister from time to time.

7.–(1) The Minister may at his discretion issue permits to bona fide organisations and scientists and other qualified professionals or specialists for cave exploration, collection of specimens of particular species of flora or fauna, group education activities, archaeological or palaeontological exploration, scientific research and related activities. All such permits shall require that copies of all data and findings from any of these activities, or any papers based on them, shall be provided to the Minister.

Exemptions.

(2) The Minister may at his discretion, and subject to such conditions as he may think desirable to attach thereto, issue permits for fishing in any national park, wildlife sanctuary or natural monument where such activity will not destroy or seriously detract from those values that were the principal reason for establishment of the unit.

8.–(1) The Minister may from time to time make rules for the proper conduct and good management of any national park, nature reserve,

Rules.

wildlife sanctuary or natural monument or of the entire National Parks System and make rules which, *inter alia*,

- (a) prohibit overnight camping;
- (b) prohibit camping in unauthorised areas;
- (c) establish hours when any area will be open to the public;
- (d) prohibit open fires in specified areas and regulate the lighting of open fires anywhere within the park, reserve, sanctuary or other area covered by this Act;
- (e) prohibit the use of vehicles on foot trails;
- (f) prohibit the landing of aircraft except on areas provided for such purposes;
- (g) limit the use of vehicles to established roads;
- (h) prohibit the setting off of fireworks of any description or the making of any type of noise whatsoever;
- (i) require that any dog brought into the area be kept on a leash not over four feet (1.2 metres) long;
- (j) prohibit the playing of radios, tape players, gramophones and musical instruments altogether or in a manner which is disturbing to other visitors;
- (k) prohibit any act that detracts from the good order or general enjoyment of the area;
- (l) prohibit the selling of any food, beverage or goods except by licensed parties.

(2) The contravention of any rule made under this section shall constitute an offence.

9.-(1) Upon the declaration of any area to be a national park, nature reserve, wildlife sanctuary or natural monument, the officer responsible shall place identification signs and regulations regarding the use of the area at all road and trail entrances to the area, including waterways where feasible.

Development.

(2) The officer responsible shall, as soon as practicable and prior to the construction of roads, trails or visitor facilities in a national park, nature reserve, wildlife sanctuary or natural monument, prepare a management plan for the area for approval by the Minister.

(3) Public access and facilities shall be developed in a manner which will minimise detrimental impacts on the various resources and overall scenic values of the park, reserve, sanctuary or monument.

(4) The Minister may, where such action is consistent with the purpose for which a national park, nature reserve, wildlife sanctuary or natural monument was established, grant licences for the provision of visitor facilities and services. Such licences may *inter alia* provide for,

- (a) the location, number and general specifications for the type or types of facilities to be developed;
- (b) the specific services to be provided;
- (c) approved methods of debris disposal;
- (d) sanitation and cleanliness standards;
- (e) reporting the amount of visitor use;
- (f) standards of behaviour and dress for employees of the licensee who have contact with the public;
- (g) freedom of examination of all business records by the officer responsible for the administration of the park, reserve, sanctuary or monument.

PART III

General

Appointment of officers.

10.—(1) The Public Services Commission may appoint an Administrator for each national park, nature reserve, wildlife sanctuary or natural monument and such other park officers as the Minister shall deem necessary, to perform the functions and exercise the powers assigned to each of them by this Act and regulations made thereunder.

(2) The Chief Forest Officer shall be responsible for the administration of this Act.

Regulations.

11.—(1) The Minister may from time to time make regulations for the implementation and administration of this Act, and such regulations may provide that the contravention of any of them shall be an offence.

(2) All regulations shall be laid before the National Assembly as soon as may be after the making thereof, and if the National Assembly by resolution requests that any regulation laid before it be rescinded, such regulation shall be rescinded by the Minister but without prejudice to the validity of anything done thereunder or the making of a new regulation.

Offences and penalties.

12.—(1) Any person who contravenes or aids or abets the contravention of any of the provisions of sections 4, 5 and 6 of this Act, or of any rule made under section 8 of this Act or regulation the contravention of which has been made an offence under section 11 of this Act, commits an offence and shall on summary conviction be liable to a fine not exceeding two hundred dollars, and if the offender has within a preceding period of five years been convicted of a park offence or has paid compensation under section 18, he shall be liable to a fine not exceeding five hundred dollars or imprisonment for a period not exceeding six months, or to both such fine and term of imprisonment.

(2) The court may in addition order the cancellation of any licence or permit granted under the provisions of this Act or any regulations made hereunder and the forfeiture of any natural or cultural object of value in respect of which an offence under subsection (1) of this section has

been committed and of any vehicle, vessel or other transport used in the commission of the offence.

(3) When any person has been convicted of a park offence the court may, in addition to any other penalty provided by this Act or any other enactment, assess the amount of any damage which may have been caused by such offender and cause the same to be recovered in such manner as if it were a fine or, in the case of unauthorised establishments, buildings, huts, enclosures, standing crops, roads or trails on the National Parks System, may order the removal of the same within such period as may be fixed and the restoration of the places as nearly as possible to their previous condition.

13.-(1) Any park officer may,

Powers of search,
seizure and arrest.

- (a) when he has reasonable grounds to suspect that a person is in possession of any article in respect of which a park offence has been committed, search such person or any baggage, parcel, vehicle, tent or buildings under the control, custody or possession of such person or his agent or servant;
- (b) seize any object in respect of which he has reasonable grounds to believe that a park offence has been committed;
- (c) arrest any person he has reasonable grounds to suspect of having committed any park offence if the person refuses to reveal his name and residence, states a name and residence which there is reason to believe is false or gives reason to believe he will abscond.

(2) Anything seized and any person arrested under this section shall, without unnecessary delay, be brought before the nearest magistrate.

14. Any park officer may, if he suspects that a park offence has been committed, question any person and record any statement he thinks relevant to the investigation of the offence. In any subsequent

Inquiries, evi-
dence.

prosecution, a magistrate may admit such statement in evidence provided such statement was taken in the presence of the accused. An accused person may at his own expense require the presence of any such witness for cross-examination.

Presumption.

15.—(1) When any person is found in possession of any object in respect of which a park offence has been committed he shall, unless he can prove that he came by the object innocently and without knowledge of the offence, be presumed to have committed the offence.

(2) When in any proceedings under this Act a question arises as to whether or not any natural or cultural object of value is the property of the Government, such natural or cultural object shall be presumed to be the property of the Government until the contrary is proved.

Offences punishable on summary conviction.

16. All offences under this Act shall be punishable on summary conviction on information which may be laid by the Administrator of the park, reserve, sanctuary or monument, or by any person authorised by him in writing.

Award of portion of fine to informant.

17. The court may award any amount, not exceeding one-half of the fine imposed for an offence under this Act, to any person who may have supplied such information as may have led to the conviction of the offender.

Compounding of offences.

18.—(1) The Minister, and the Administrator of any park, reserve, sanctuary or monument who is so authorised by the Minister in writing, may accept from any person admitting the commission of an offence under this Act a sum of money which shall in no case exceed one hundred dollars, by way of compensation for the offence and on payment thereof such person, if in custody, shall be discharged and no further proceedings shall be taken against him in respect of the offence.

(2) All moneys received under this section shall be paid into the Consolidated Revenue Fund.

Disposal of forfeited objects.

19. Any antiquity forfeited under the provisions of this Act shall be placed in the custody of the Archaeological Commissioner. All other

objects so forfeited shall, with the approval of the Minister, be disposed of by the Administrator in such manner as the Minister may prescribe.

20. Nothing in this Act shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constituted an offence under that law or from being liable under such other law to any higher punishment or penalty than that provided under this Act, provided that no person shall be punished twice for the same offence.

Savings of other powers.

21. Nothing in this Act shall derogate from or interfere with the right of the Government or of any person to sue for and recover compensation for or in respect of damage or injury caused by a park offence.

Civil remedy preserved.

22. Cattle trespassing in or upon any land which has been declared a park, reserve, sanctuary or monument shall be deemed to have been found in a prohibited area for the purpose of section 6 of the Cattle Trespass Act, Cap. 208.

Application of the Cattle Trespass Act.

23. Notwithstanding anything contained in the General Registry Act, Cap. 327, no lease of three years or less nor any licence or permit issued under the provisions of this Act shall be deemed invalid or non-effective because of it not being lodged for record in the General Registry.

Validity of certain leases, licences and permits not affected by failure to register.