



TURKS AND CAICOS ISLANDS

**CHAPTER 10.01**  
**NATIONAL PARKS ORDINANCE**  
**and Subsidiary Legislation**

**Revised Edition**  
showing the law as at 31 March 2021

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Revised Edition of the Laws Ordinance.

This edition contains a consolidation of the following laws—

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**CHAPTER 10.01**

**NATIONAL PARKS ORDINANCE**

ARRANGEMENT OF SECTIONS

SECTION

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  3. Declaration of national parks, etc.
  4. Usage of national parks, etc.
  5. Provisions with respect to land in areas declared to be national parks, etc.
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- 

**CHAPTER 10.01**

**NATIONAL PARKS ORDINANCE**

*(Ordinances 11 of 1975, 10 of 1989, 12 of 1992, 4 of 2005,  
26 of 2016 and 2 of 2017)*

AN ORDINANCE TO PROVIDE POWERS TO PERMIT THE ESTABLISHMENT OF PARKS, NATURE RESERVES, SANCTUARIES AND AREAS OF HISTORICAL INTEREST, AND GENERALLY FOR THE CONSERVATION OF THE NATURAL ENVIRONMENT AND ECOLOGY OF THE ISLANDS AND FOR PURPOSES CONNECTED THEREWITH.

**Commencement**

*[30 October 1975]*

**Short title**

1. This Ordinance may be cited as the National Parks Ordinance.

**Interpretation**

2. In this Ordinance—

“area of historical interest” means an area declared to be of historical interest under section 3;

“court” means the Magistrate’s Court;

“critical habitat reserve” means a critical habitat reserve established under section 3; *(Inserted by Ord. 26 of 2016)*

“development” includes any change in use, the erection of any structure and the carrying out of any drainage, dredging or sewerage scheme, and such other activities as may be prescribed by the Governor by order;

“Director” means the Director of Environment and Coastal Resources; *(Inserted by Ord. 26 of 2016)*

“enforcement officer” means a conservation officer, police officer and a fishery officer as defined under regulation 3(1) of the Fisheries Protection Regulations; *(Inserted by Ord. 26 of 2016)*

“national park” means a national park established under section 3;

“nature reserve” means a nature reserve established under section 3;

“private land” means any land the title to which is vested in any person other than the Crown or the Government;

“sanctuary” means a sanctuary established under section 3.

### **Declaration of national parks, etc.**

3. (1) The Governor may by order declare any area in the Islands, including any part of the territorial waters of the Islands, to be—

- (a) a national park;
- (b) a nature reserve;
- (c) a sanctuary;
- (d) an area of historical interest; or
- (e) a critical habitat reserve.

*(Amended and inserted by Ord. 26 of 2016)*

(2) For the purposes of the Logwood (Hotel) Development Agreement dated 22 April 2003, the Governor may, by order declare that from a specified date the limits of the Pigeon Pond and Frenchman’s Creek Nature Reserve shall be altered or varied in the manner specified in that order.

*(Amended by Ord. 4 of 2005)*

(3) The Governor may by Order—

- (a) alter or vary the boundary of any national park, nature reserve, sanctuary, area of historical interest or critical habitat reserve;
- (b) declare a national park, nature reserve, sanctuary, area of historical interest or critical habitat reserve to cease to be a national park, nature reserve, sanctuary, area of historical interest or critical habitat reserve; or
- (c) declare a change in the classification of a national park, nature reserve, sanctuary, area of historical interest or critical habitat reserve. *(Inserted by Ord. 26 of 2016)*

(4) The Director shall first give notice in the *Gazette* and in at least one newspaper in national circulation of the proposed establishment, alteration, variation or cessation of a national park, nature reserve, sanctuary, area of historical interest or critical habitat reserve. *(Inserted by Ord. 26 of 2016)*

(5) Any person may, within six weeks of the notice referred to in subsection (4), make either oral or written representation on the proposed establishment, alteration, variation or cessation of a national park, nature reserve, sanctuary, area of historical interest or critical habitat reserve, to the Director. *(Inserted by Ord. 26 of 2016)*

(6) The Governor shall not make an order under this section, unless the draft has been laid before the House of Assembly and is approved by the House of Assembly. *(Inserted by Ord. 26 of 2016)*

### **Usage of national parks, etc.**

4. (1) Subject to any regulations relating to any particular national park or nature reserve—

(a) an area which is designated as a national park shall be open to members of the public for recreational use, including camping, fishing and sailing, and the Governor may make a grant of development permission for the erection in the area of buildings, the construction of roads, marinas and such other development as may be considered to be desirable to facilitate enjoyment by the public of the natural setting of the area and any features of historical interest therein; but in considering whether or not any such development as is mentioned in this paragraph as being permissible shall be authorised in any particular case, the paramount consideration shall be to limit such development to the minimum consistent with the reasonable access to and enjoyment of the area by members of the public; and

(b) an area which is designated as a nature reserve may be used for agricultural, arboricultural, piscicultural, catch-and-release bonefishing, sporting and recreational purposes, subject to such restrictions as may be prescribed and which may be considered desirable to ensure a proper balance in the natural ecology of the area; but no building or other development shall be permitted except in accordance with the conditions of a grant of development permission made by the Governor and such grant shall only be made for a building or other development which is required for one of the aforesaid uses which are permissible in a nature reserve.

*(Amended by Ords. 10 of 1989 and 26 of 2016)*

(2) The declaration of an area as a sanctuary shall be made primarily for the purpose of the protection of the natural ecology, or of any particular form of living organism (including any marine life), in the area, and the avoidance of disturbance of the area by human beings, either at any time or at particular times according to the circumstances and the form of life which it is desired to protect; and entry into a sanctuary shall not be permitted except in accordance with any

regulations made in respect of that sanctuary and no person shall carry out any development in a sanctuary.

(3) The declaration of an area of historical interest shall be primarily for the purpose of protecting an object of historical interest in the area; and such an area may form part of a national park, nature reserve or sanctuary, and in such case shall be subject to those provisions of this section and any regulations which are applicable to that park, reserve or sanctuary, and in the case of any other area of historical interest, the public shall have access to the area, or to any object of interest in the area, during such times and subject to such conditions as may be prescribed by regulations which are applicable to that area; and no person shall carry out any development in that area except under a grant of development permission made by the Governor.

*(Amended by Ord. 10 of 1989)*

(4) The declaration of an area as a critical habitat reserve shall be made primarily for the purpose of the protection of any endangered species, including its habitat in any wetlands, pine woodlands, caves and other karst features and tropical dry forest and no person shall carry out any development in that area unless—

- (a) an environmental impact assessment is conducted by an independent, qualified and credible environmental professional;
- (b) the environmental impact statement recommends that the development proceed;
- (c) the grant of development permission incorporates terms, conditions and limitations that address the environmental impact assessment, subject to a “no net loss” of habitat value; and
- (d) a grant of development permission is made by the Governor.

*(Inserted by Ord. 26 of 2016)*

(5) Sections 78, 79 and 80 of the Physical Planning Ordinance apply with such modifications as the circumstances require to applications for development permission in a national park, a nature reserve, a sanctuary or an area of historical interest or a critical habitat reserve as they apply to applications for development permission in a conservation area made under the Physical Planning Ordinance: *(Amended by Ord. 26 of 2016)*

Provided that the Director of Planning appointed under the Physical Planning Ordinance shall make available to the Minister responsible for this Ordinance a copy of the environmental impact statement referred to in those sections before any application for development permission is approved. *(Inserted by Ords. 10 of 1989 and 12 of 1992)*

### **Provisions with respect to land in areas declared to be national parks, etc.**

5. In any case in which private land is included in any area which has been declared to be a national park, a nature reserve, a sanctuary, an area of historical interest or a critical habitat reserve and the Governor does not consider that it is necessary for the purpose to which the declaration relates to acquire such land



under the Land Acquisition Ordinance, any person entitled to any interest therein shall be entitled to receive compensation from the Government for the diminution, if any, in the value of his interest consequential upon any restrictions imposed on his use of the land by reason of such declaration; and if agreement cannot be reached between the Government and the party concerned as to whether or not any compensation is payable, or as to the amount thereof, the matter shall be referred to arbitration under the Arbitration Ordinance. (*Amended by Ord. 26 of 2016*)

### **Restriction on certain activities harmful to the ecology**

6. (1) If the Governor is satisfied that—

- (a) it is, or is likely to become, necessary for the prevention of the pollution of, or any other harmful or disturbing effect or influence on, the natural ecology of any national park, nature reserve, sanctuary or critical habitat reserve; or (*Amended by Ord. 26 of 2016*)
- (b) the preservation of any particular form of living organism (including vegetable or marine life) in any part of the Islands so requires,

the Governor may by order impose restrictions on any development or the depositing or discharge of any waste or harmful matter in any area which he considers would have direct or indirect harmful effect on such natural ecology or living organism.

(2) The provisions of section 5, with respect to the assessment and payment of any compensation, shall apply with such modifications as the circumstances require in the case of any diminution in the value of any interest in land by reason of any restrictions imposed by order made under this section.

### **Enforcement**

7. (1) A person who—

- (a) carries out any development in a national park, nature reserve, sanctuary or area of historical interest or critical habitat reserve, except in accordance with the terms of a grant of development permission made under section 4; or (*Amended by Ord. 26 of 2016*)
- (b) fails to comply with any restriction imposed by an order made under section 6; or
- (c) enters any sanctuary without authority,

commits an offence and is liable on summary conviction to a fine of \$50,000 dollars or to imprisonment for a term of twelve months, or to both.

(*Amended by Ords. 10 of 1989 and 12 of 1992*)

(2) The court before which a person is convicted under this section may order the demolition of any structure erected or the reinstatement of anything altered or removed in contravention of subsection (1), and in default of compliance with any such order of the court, the Governor may cause the

necessary work to be carried out and may recover as a civil debt the cost of so doing from the person in default.

(3) An appeal shall lie to the Supreme Court from any decision or order of the Magistrate's Court made under this section.

### Regulations

8. The Governor may make regulations for carrying into effect the purposes and provisions of this Ordinance and such regulations may provide—

- (a) for the control and management of national parks, nature reserves, sanctuaries, areas of historical interest, critical habitat reserves; *(Amended by Ord. 26 of 2016)*
- (b) the conditions subject to which members of the public shall be permitted to enter and use any national park, nature reserve, area of historical interest, or critical habitat reserves, and for the issue of licences to permit persons to enter any national park, nature reserve, sanctuary, area of historical interest, or critical habitat reserves for any particular purpose; *(Amended by Ord. 26 of 2016)*
- (c) for the regulation and control of prohibition of any hunting or fishing in or the removal of any living organism or any substance from any national park, nature reserve, sanctuary, area of historical interest, or critical habitat reserves; *(Amended by Ord. 26 of 2016)*
- (d) for the appointment of persons as—
  - (i) conservation officers and for conferring on such conservation officers powers to enforce the regulations; or
  - (ii) volunteer conservation officers to assist in conservation, education and outreach activities;
- (e) that a contravention of a provision of the regulations constitutes an offence and for a penalty on summary conviction in respect of such contravention of—
  - (i) a fine of \$50,000 or imprisonment for a term of twelve months, or both; and
  - (ii) in the case of a continuing offence, a fine of \$100 for every day or part of a day on which the offence continues;
- (f) power for a court to order a person convicted of an offence referred to in paragraph (e) to pay the cost of repairing any damage to a national park, nature reserve, sanctuary, area of historical interest, or critical habitat reserves caused by the commission of the offence; *(Amended by Ord. 26 of 2016)*
- (g) power for an enforcement officer to arrest without warrant any person whom the enforcement officer reasonably suspects to be committing, to have committed or to be about to commit an offence against the regulations or this Ordinance, and for the

seizure or forfeiture to the Crown of any article used in the commission of any such offence or alleged offence; *(Amended by Ord. 26 of 2016)*

- (h)* power for an enforcement officer to initiate proceedings for offences against the regulations; *(Substituted by Ord. 26 of 2016)*
  - (i)* for the imposition of fees and charges in respect of any matter with regard to which provision is made in the regulations or in this Ordinance; *(Amended by Ord. 12 of 1992)*
  - (j)* for the prohibition of specified conduct in any national park, nature reserve, area of historical interest or critical habitat reserve;
  - (k)* for the discharge of liability for any offence specified under paragraph *(j)* by a fixed penalty; and
  - (l)* power for an enforcement officer to issue a ticket for the discharge of liability by payment of a fixed penalty for any offence specified under paragraph *(j)*. *(Inserted by Ord. 26 of 2016)*
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**NATIONAL PARKS ORDER – SECTION 3**

*(Legal Notices 40/1992, 35/1995 and 3/2006)*

*Made by the Governor under section 3 of the National Parks Ordinance*

**Commencement**

*[7 August 1992]*

**Citation**

1. This Order may be cited as the National Parks Order.

**Formation of national parks**

2. The areas named and described in the first column of Part I of the Schedule are declared to be national parks for the protection or promotion of the corresponding features of interest specified in the second column.

**Formation of nature reserves**

3. The areas named and described in the first column of Part II of the Schedule are declared to be nature reserves for the protection or promotion of the corresponding features of interest specified in the second column.

**Formation of sanctuaries**

4. The areas named and described in the first column of Part III of the Schedule are declared to be sanctuaries for the protection or promotion of the corresponding features of interest specified in the second column.

**Formation of areas of historical interest**

5. The areas named and described in the first column of Part IV of the Schedule are declared to be areas of historical interest for the protection or promotion of the corresponding features of historical interest specified in the second column.

**Site plans**

6. (1) The areas described in the Schedule are delimited on site plans designated NP 1–11, NR 12–22, S 23–26 and HA 27–33, that may be inspected at the offices of the Department of Environment, Heritage and Parks during normal working hours.

(2) In a case of inconsistency between the description of an area in the Schedule and its delimitation on a site plan, the former shall prevail for all purposes of interpretation.

SCHEDULE

PART I

NATIONAL PARKS

Name and Area	Features of Interest
<p>1. <b>Admiral Cockburn Land and Sea National Park:</b> An area of 1185 acres in South Caicos bounded by a straight line from High Point to the reef wall at grid reference BP 410 779, the reef wall to BP 337 740 including a straight line across Big Cut connecting the reef wall on both sides, a straight line to the south point on Long Cay, the high water mark along the north side of Long Cay, a straight line from the north - east tip of Long Cay to South Caicos at BP 380 780, the western, northern and western boundaries of Crown land comprising parcels 20309/1 and 2 to the high water mark at BP 382 779 on Girl's Bay, and the high water mark to the starting point at High Point. Grid references are to sheet 12 Series E8112 (DOS 309P) Edition 2-OSD 1985.</p>	Excellent wall diving and representative coral reef ecosystems
<p><i>Site Plan NP1.</i></p>	
<p>2. <b>Chalk Sound National Park:</b> An area of 3607 acres in Providenciales bounded by common boundary with Frenchman's Creek Sanctuary from grid reference YV 769 118 to YV 778 083 (Ref. points YV 765 117, YV 763 111, YV 761 111, YV 758 103, YV 757 097, YV 757 092, YV 765 095, YV 777 086, YV 778 083). A straight line to YV 783 081, the shoreline of Silly Creek and Chalk Sound to YV 818 079, the west side of the South Dock main road to YV 824 091, a track leading to Chalk Sound to YV 810 095, along the shore of Chalk Sound to YV 794 107, a straight line to YV 795 109 and a line roughly parallel to and at a distance of about 600 ft from the shoreline of Chalk Sound to the starting point. Grid references are to sheet 2 Series EB112 (DOS 309P) Edition 2-OSD 1985.</p>	Scenic water; bonefish; boating; picnic area
<p><i>Site Plan NP2.</i></p>	
<p>3. <b>Columbus Landfall Marine National Park:</b> An area of 1280 acres in Grand Turk comprising the area of sea from high water mark to the reef wall; a straight line from the North Creek entrance to BP 782 800, along the edge of the reef wall to BP 773 704, a straight line to Booby Rock Point, along the high water mark to the starting point save for the area within the following coordinates—</p>	Excellent wall diving

starting from a point on the shore with X coordinate 277560.11 and Y coordinate 2370976.57 by a straight line to a northern point X coordinate 277201.31 and Y coordinate 2371172.40 by a straight line southward to X coordinate 277271.87 and Y coordinate 2370802.16 by a straight line southeastward to the shore at X coordinate 277700.56 and Y coordinate 2370495.72 along the high water mark to the starting point.

Grid references are to sheet 14 Series E8112 (DOS 309P) Edition 2-OSD 1985.

*Site Plan NP3. (Amended by L.N. 3 / 2006)*

4. ***Conch Bar Caves National Park:***

An area of 235 acres in Middle Caicos bounded in the north by the high water mark and in the east by a line connecting grid reference BQ 120 167, BQ 120 162, BQ 119 161, BQ 119 158, to the south by the main road and to the west by east road, a line connecting grid reference BQ 107 162, BQ 108 162, BQ 108 164 and the south and east side of a 40 feet wide road reserve and back to the starting point (Grid references are to sheet 7 Series E8112 (DOS 309P) Edition 2-OSD 1984.

*Site Plan NP4.*

Extensive underground cave system containing large subterranean lagoons and bat colonies; once mined by slaves for guano

5. ***East Bay Islands National Park:***

An area of 8746 acres in North Caicos comprising Bay, Conch, High and Major Hill Cays and bounded by a line from grid reference AQ 992 289 at North Mouth to AQ 994 292, AQ 999 292, BQ 019 277, BQ 033 261, BQ 039 204, BQ 031 188, BQ 020 193, AQ 999 222, AQ 995 231, AQ 994 241, AQ 997 261, AQ 983 265, the middle of the channel between Major Hill Cay and the mainland, AQ 986 289, AQ 987 291 and to the starting point. Grid references are to sheet 5 Series E8112 (DOS 309P) Edition 2-OSD 1985.

*Site Plan NP5.*

Scenic islands and favourite picnic area

6. **Fort George Land and Sea National Park:**

Comprising an area of 1220 acres north of Pine Cay bounded on the south-east side by a line some 500 feet from Grouper Cay from grid reference ZV 029 232 to ZV 023 221, on the south-west side by the northern edge of a channel to YV 991 231, a straight line to the reef wall at YV 984 243, along the reef wall to YV 995 254, a straight line to ZV 003 242, along the Fort George cut via straight lines to ZV 010 238, ZV 014 236, ZV 018 237, ZV 029 234, and back to the start. Grid references are to sheet 4 Series E8112 (DOS 309P) Edition 2-OSD 1984.

*Site Plan NP6.*

Dive and picnic sites; 1798 English Fort, shipwreck, cannons in shallow water, iguanas ospreys and wading birds

7. **Grand Turk Cays Land and Sea National Park:**

An area of 386 acres south-east of Grand Turk comprising the whole land area of Gibbs, Penniston and Martin Alonza Pinzon Cays off Grand Turk and the surrounding 400 ft of sea in each case.

*Site Plan NP7.*

Shallow dive sites, bird and fish nurseries, day outings and picnics

8. **North West Point Marine National Park:**

An area of 2535 acres in Providenciales bounded by the north-west side of Wheeland Cut from the high water mark at grid reference YV 769 188 to the reef wall, along the reef wall to a point at grid reference YV 763 225, along the reef wall to grid reference YV 731 134 approximately north-west of Wiley Point, to Wiley Point; and along the high water mark to the starting point. Grid references are to sheet 2 Series E8112 (DOS 309P) Edition 2-OSD 1985.

*Site Plan NP8.*

Best wall diving off Providenciales



9. ***Princess Alexandra Land and Sea National Park:***

An area of 6532 acres in Providenciales bounded by a line taken due north of Blue Mountain (C42) from the high water mark to the reef wall, along the reef wall to a point approximately due north of the most westerly point of Water Cay, approximately due south to a point some 1000 ft away from the most westerly point of Water Cay, east 500 ft along the southern coast of Water Cay to YV 972 177 a straight line south to YV 962 150 along the shoreline of Mangrove Cay to Leeward-Going-Through Point, along the high water mark to the starting point. Grid references are to sheet 3 Series E8112 (DOS 309P) Edition 2-OSD 1985.

*Site Plan NP9.*

Dive and picnic excursions, iguanas, ospreys, mangroves and marine life

10. ***South Creek National Park:***

An area of 183 acres in Grand Turk bounded by a line across the mouth of South Creek extending along the coast to the north of Materson's Point, along the northern boundary of Parcel 10411/4 and the western boundary of Parcel 10411/3 until this meets a wall, in a south-westerly direction along the wall to the south side of the road to Materson's Point, along the south side of this road in a westerly direction until its junction with a track, leading to the eastern end of Grand Turk Airport, along the east side of this track around the end of the runway to the canal leading from Hawks Pond Salina to South Creek. Around the Crown land holdings 10505/5 and 6 comprising mangroves and wetlands following the west side of the track ending at South Creek; then in an easterly direction to the starting point and excluding Parcel 10410/3 Eves Hill which is in private ownership.

*Site Plan NP10.*

Wetlands, mangroves, view-point, tourist destination, picnic areas and small boat activities and harbourage

11. **West Caicos Marine National Park:** Excellent wall diving
- An area of 980 acres in West Caicos comprising an area from the high water mark at Logwood Point, a straight line to YV 640 030 and YV 627 030, along the reef wall south of Yankee Town to YU 615 964, a straight line to the high water mark at YU 618 963, north along the high water mark to the starting point. Grid references are to sheet 1 Series E8112 (DOS 309P) Edition 2-OSD 1984.
- Site Plan NP11*

## PART II

## NATURE RESERVES

Name and Area	Features of Interests
<p>12. <b>Admiral Cockburn Nature Reserve (Long Cay, Six Hill Cays, Middleton Cay):</b></p> <p>An area of 1065 acres in South Caicos comprising the land area of Long Cay, the land area of Six Hill Cays and Middleton Cays and the surrounding 400 ft of sea.</p> <p><i>Site Plan NR12.</i></p>	<p>Important for rare rock iguana and breeding terns and frigate birds</p>
<p>13. <b>Bell Sound Nature Reserve:</b></p> <p>An area of 2820 acres in South Caicos bounded by a line connecting grid reference BP 369 849, BP 402 849 and BP 402 848, the high water mark to BP 379 823 and straight lines to BP 369 823 and back to the starting point. Grid references are to sheet 12 Series E8112 (DOS 309P) Edition 2-OSD 1985.</p> <p><i>Site Plan NR13.</i></p>	<p>Bonefish reserve</p>
<p>14. <b>Cottage Pond Nature Reserve:</b></p> <p>An area of 20 acres in North Caicos bounded by straight lines connecting ZV 099 285, ZV 099 281 and AQ 901 281, along the 25 ft contour to the road to Sandy Point at AQ 903 284 and back along the road to the starting point. Grid references are to sheet 4 Series E8112 (DOS 309P) Edition 2-OSD 1984 and sheet 5 Series E8112 (DOS 309P) Edition 2-OSD 1985.</p> <p><i>Site Plan NR14.</i></p>	<p>Bird nesting</p>

15. **Dick Hill Creek and Bellefield Landing Pond Nature Reserve:**  
An area of 975 acres in North Caicos bounded by a straight line from ZV 067 266 on the eastern edge of Dick Hill Creek to ZV 068 266, a straight line to ZV 068 253 on the north side of the Bellefield Landing Road, along the north side of this road to ZV 065 252, the north side of a track to ZV 057 256, a straight line to ZV 056 258, a straight line to ZV 053 272, following the edge of the hard ground around Dick Hill Creek back to the starting point. Grid references are to sheet 4 Series E8112 (DOS 309P) Edition 2-OSD 1984.  
*Site Plan NR15.*  
Bird nesting
16. **Lake Catherine Nature Reserve:**  
An area of 968 acres in West Caicos bounded by a straight line connecting grid reference points YU 639 998, YU 627 994, YU 622 967, YU 624 955, YU 627 952 and YU 629 952 and by a curved line roughly parallel to and at a distance of 500 feet from the east shore of Lake Catherine connecting reference points YU 629 952 and YU 639 998. Grid references are to sheet 1 Series E8112 (DOS 309P) Edition 2-OSD 1984  
*Site Plan NR16.*  
Area of scenic value and of interest to naturalists; large hyposaline lake supporting abundant pink bivalve molluscs and black mussels; habitat of sea turtles and bird life including flamingoes, with old causeway and small islands offering bird nesting sites
17. **North, Middle and East Caicos Nature Reserve (International Ramsar Site):**  
An area of 210 square miles bounded by straight lines connecting grid references ZV 050 230, ZV 090 250 and AQ 936 260; the edge of the hard ground; a straight line connecting AQ 936 260 and AQ 934 262; the 25 foot contour, the Kew/Whitby Road; a straight line connecting AQ 911 279 and AQ 935 276; the edge of the hard ground (including Mally Pond Slough and Whitby Bight); straight line connecting AQ 942 298, AQ 945 306 and AQ 947 305; the edge of the hard ground; a straight line connecting AQ 951 296 and AQ 958 296; the edge of the hard ground; a straight line connecting BQ 028 162 and BQ 080 150; the edge of the hard ground (including Flamingo Pond); straight lines connecting BQ 160 140, BQ 165 132, BQ 167 137; BQ 175 138; BQ 176 137, BQ 182 127, BQ 188 128; the shoreline of Armstrong Pond; a straight line between BQ 186 115 and BQ 187 111; the edge of the hard ground; a straight line between BQ 268 060 and BQ 286 071 the centre line of the channel between Joe Grants Cay and East Caicos; a straight line connecting BQ 305 090 and BQ 330 085; the reef wall, a straight line connecting BQ 371 056 and BQ 364 045; the north-east side of a  
A wetland site of international importance containing a variety of habitat types representative of the region. Noteworthy individual sites within the park include the Mally Pond Slough, Sawgrass Pond and Flamingo Pond wetland area which contains excellent natural mangrove swamp, rich and varied fauna and diverse bird life, the unique Ocean Hole off Middle Caicos, believed to contain diverse and unusual fauna; the Arm-strong and Big Ponds areas of Middle Caicos, the former area including numerous Arawak village sites, and the Iguana Cay and Flamingo Pond area on and close to East Caicos. The whole area is a particularly good example of coastal wetland habitat in the Caribbean region. It regularly supports 10% of the individuals in a population of one species of waterfowl (on Sawgrass Pond, the threatened West Indian Whistling Duck) it

track; a straight line connecting BQ 323 075 and BQ 322 078; the edge of the hard ground; and straight lines connecting BQ 330 040, BP 260 960, BQ 050 020, ZV 050 180 and ZV 050 230.

Grid references are to sheets 4, 5, 6, 8, 9, 10, 11 Series E8112 (DOS 309P) Edition 2-OSD 1984.

*Site Plan NR17.*

18. **North West Point Pond Nature Reserve:**

An area of 150 acres in Providenciales bounded by the north-east edge of the wetland (coinciding with the south-west boundary of Parcels 60601/1 and 4) from the high water mark at Little Bay to a track at grid reference YV 763 182, the aforementioned track to YV 762 182, an irregular line approximately parallel to and 100 feet from the edge of the wetland to the high water mark, and the high water mark to the starting point at Little Bay. Grid references are to sheet 2 Series E8112 (DOS 309P) Edition 2-OSD 1985.

*Site Plan NR18.*

19. **Pigeon Pond and Frenchman's Creek Nature Reserve:**

An area of 5910 acres in Providenciales including Pigeon Pond and the area of mud flats to the south and south-west known as Frenchman's Creek adjoining Chalk Sound and North-West Point Marine Parks. Comprising an area bounded by a straight line from grid reference point YV 759 158 to YV 746 149; the high water mark to Wiley Point (the common boundary with the North-West Point Marine Park); a straight line from Wiley Point through the extremity of Bonefish Point to YV 733 076; a straight line to YV 739 070, a straight line to the extremity of West Harbour Bluff, the high water mark along Proggin' Bay to YV 778 083, the common boundary with the Chalk Sound National Park to YV 769 118 (Reference points YV 777 086, YV 765 095, YV 757 092, YV 757 097, YV 758 103, YV 761 111, YV 763 111, YV 765 117), a straight line to YV 770 128, the 25 foot contour to starting point at YV 759 158. Grid references are to sheet 2 Series E8112 (DOS 309P) Edition 2-OSD 1985.

*Site Plan NR19.*

20. **Princess Alexandra Nature Reserve:**

An area of 450 acres in Providenciales comprising the entire land area of Little Water, Mangrove and Donna Cays.

*Site Plan NR20.*

has special value as the habitat of animals at a critical stage of their biological cycles (submerged banks, creeks and lagoons used by endangered turtles and commercial fish species for feeding).

A prime example of red mangrove lagoon habitat with an abundance and diversity of lagoon fauna, serving as a nursery and food source for the neighbouring waters; an important feeding area for migrant wading birds and breeding area for locally common waterfowl species

Wetland birds; West Harbour Bluff rock carvings

Picnic excursions, iguanas, ospreys and mangroves

21. ***Pumpkin Bluff Pond Nature Reserve:*** Bird nesting  
An area of 427 acres in North Caicos comprising the entire area of Pumpkin Bluff Pond to the edge of hard ground, lying within the area bounded by grid references ZV 086 306, ZV 096 294 and AQ 913 312. Grid references are to sheet 4 Series E8112 (DOS 309P) Edition 2-OSD 1984 and sheet 5 Series E8112 (DOS 309P) Edition 2-OSD 1985.  
*Site Plan NR21.*
22. ***Vine Point (Man O' War Bush) and Ocean Hole Nature Reserve:*** Frigate bird nesting area, and 220 feet deep by 1200 feet wide hole in 3 feet shallow sand bottom  
An area of 1870 acres in Middle Caicos bounded by a line connecting the following grid references BQ 054 046, BQ 043 034, BQ 060 018, BQ 099 044, BQ 092 051, BQ 066 035 and to the starting point. Grid references are to sheets 6 and 8 Series E8112 (DOS 309P) Edition 2-OSD 1984.  
*Site Plan NR22.*
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PART III  
SANCTUARIES

Name and Area	Features of Interest
<p>23. <b>Big Sand Cay Sanctuary:</b> An area of 372 acres south of Salt Cay comprising the entire island of Big Sand Cay and nearby islets, including Little Sand Cay and the surrounding 400 ft of sea. <i>Site Plan S23.</i></p>	Nesting birds and turtles
<p>24. <b>French, Bush and Seal Cays Sanctuary:</b> An area of 50 acres comprising the entire land area of French Cay (south of West Caicos), Bush Cay and the Seal Cays (both south of South Caicos) on the south side of the Caicos Bank. <i>Site Plan S24.</i></p>	Nesting terns and frigate birds
<p>25. <b>Long Cay Sanctuary:</b> An area of 198 acres south-east of Grand Turk comprising the total land area of Long Cay and nearby islets and the surrounding 400 ft of sea. <i>Site Plan S25.</i></p>	Nesting terns; flora; iguanas
<p>26. <b>Three Mary Cays Sanctuary:</b> An area of 33 acres in North Caicos comprising the total area of Three Mary Cays and the surrounding 400 ft of sea up to 50 ft seaward of the low water mark of the north coast of North Caicos. <i>Site Plan S26.</i></p>	Osprey nest site

PART IV

AREAS OF HISTORICAL INTEREST

Name and Area	Features of Interest
<p>27. <b><i>Boiling Hole Area of Historical Interest:</i></b> An area of 118 acres in South Caicos comprising an area bounded by Cockburn Harbour to Highlands Road from BP 380 784 to BP 387 786, straight lines connecting to BP 385 790, BP 386 792 and BP 380 792, following the edge of the Salina south to Cockburn Harbour Highlands Road. Grid references are to sheet 12 Series E8112 (DOS 309P) Edition 2-OSD 1985. <i>Site Plan HA27.</i></p>	Salinas
<p>28. <b><i>Cheshire Hall Area of Historical Interest:</i></b> An area of 1 acre in Providenciales comprising the ruins and surroundings contained within and including the site wall, located south of Leeward Highway approximately one quarter of a mile east of the junction with the Blue Hills Road bounded by a line connecting the following Grid references (784E, 241ON) 077 784, 071 907, 205 897, 196 802. Grid references are to map of scale 1:1250 <i>Site Plan HA28.</i></p>	Ruins of 1790's Plantation House and outbuildings
<p>29. <b><i>Fort George Area of Historical Interest:</i></b> An area of 1 acre on Fort George Cay (between Providenciales and North Caicos) at the north-west point of the cay. Grid reference ZV 002 238. Grid reference is to sheet 4 Series E8112 (DOS 309P) Edition 2-OSD 1984. <i>Site Plan HA29.</i></p>	1798 English Fort
<p>30. <b><i>H.M.S. Endymion Wreck Area of Historical Interest:</i></b> An area of 6.5 acres to the south of Great Sand Cay comprising the site of the wreck and the entire area within 100 yards of the wreck. <i>Site Plan HA30.</i></p>	18th century ship-wreck in shallow water
<p>31. <b><i>Molasses Reef Wreck Area of Historical Interest:</i></b> An area of 1 acre south-east of West Caicos comprising the site of the wreck and the area around it designated as a restricted area. <i>Site Plan HA31.</i></p>	Site of the oldest known wreck in the western hemisphere
<p>32. <b><i>Salt Cay Area of Historical Interest:</i></b> An area of 435 acres in Salt Cay comprising Town Salinas and the Waterfront from North District at Grid reference BP 706 604 to South</p>	Salt works, historical buildings including brown and white houses, site of whaling station

District at Grid reference BP 701 591, Grey Salina and surroundings of Old Whaling Station from Long Bay Point at Grid reference BP 727 602 to BP 732 607, including Whale Island and Whale House Bay. Grid references are to sheet 15 Series E8112 (DOS 309P) Edition 2-OSD 1985.

*Site Plan HA32.*

33. **Sapodilla Hill Area of Historical Interest:**

An area of 0.29 acres in Providenciales comprising the area of Sapodilla Hill within the 70 feet contour line.

*Site Plan HA33.*

34. **Town Pond Salina Area of Historic Interest:**

An area of 177.7 acres in Grand Turk (downtown/town centre-Cockburn Town) encompassing the Crown land holding 10402/35 inclusive of land parcels 10402/2, 10402/6, 10402/10 and 11 (The Island), and 10402/20 bounded by a line starting from grid reference in the region of land parcel 10401/344 with X coordinate 278209.897 and Y coordinate 2376081.236 heading east south east (excluding land parcels 10404/14, 15,16 and 17) to X coordinate 278563.026 and Y coordinate 2376023.996, then south along the border of Breezy Brae's western edge and Colonel Murray's Hill to the area fringing the Grand Turk municipal dump site at X coordinate 278695.595 and Y coordinate 2374970.957, moving in a west north westerly curve behind the St. Thomas Parish Church and the old water catchment in the area of the Salt House Café Museum and Shop to X coordinate 278341.256 and Y coordinate 2375064.826, then west north west along the areas following Osbourne Road (Church Folly) to the intersection at Pond Street opposite the Old HM Prison (Her Majesty's Prison) at X coordinate 277631.788 and Y coordinate 2375379.520, before heading north on an easterly tangent to X coordinate 277753.999 and Y coordinate 2375619.000 and east along the southern edge of land parcel 10402/19 (Cool Beans and R & R Super Savers or Tom's) to X coordinate 277831.062 and Y coordinate 2375614.204, and then travelling north east along Lighthouse Road back to the starting point. *Site Plan HA 34*

*(Inserted by L.N. 49/2010)*

35. **Red Salina Area of Historic Interest**

An area of three contiguous Crown land holdings in Grand Turk (downtown/town centre-Cockburn Town) totaling 25.60 acres comprising land

Rock carving by shipwrecked sailors

- Salinas (salt pans) and old windmills from the salt industry;
- An Important Bird Area (IBA) with endemic, migratory and internationally important bird species;
- Habitat for the endemic national flower, the Turks Heather *Limonium bahamense*;
- Home to "The Island", an old quarantine station dating back to the early 1800's with numerous graves from early ancestors of the Turks and Caicos Islands;
- Nursery and permanent refuge for recreational and consumptive fish species such as mullet, snook and bonefish.

Salinas (salt pans) from the salt industry;

- An Important Bird Area (IBA) with endemic, migratory and



parcels-

- 10404/1, 10404/105 and 10404/189 (totaling 11.78 acres) starting at the area opposite Town Salinas connected by a canal adjacent Osbourne Road (Church Folly) and the intersection at Pond Street opposite the Old HM Prison (Her Majesty's Prison) bounded by a line starting from grid reference with X coordinate 277626.000 and Y coordinate 2375360.000, heading east on a slight tangent to X coordinate 277723.540 and Y coordinate 2375334.390, then south on a perpendicular angle in the area just behind CEE's Enterprises (land parcel 10404/188) to X coordinate 277715.970 and Y coordinate 2375224.820 and east to X coordinate 277797.300 and Y coordinate 2375214.490, moving south along the reserve road to X coordinate 2777802.000 and Y coordinate 2375006.000, then travelling west along Mission Folly to the intersection at Pond Street just opposite Barclay's Bank (First Caribbean International Bank) with X coordinate 277619.000 and Y coordinate 2375027.000 before heading north in a straight line along Pond Street back to the starting point;
- 10404/203 and 10404/199 (totaling 7.84 acres) bounded by a line starting at the area adjacent Mission Folly and the intersection of Pond Street just opposite Barclay's Bank (First Caribbean International Bank) with X coordinate 277620.000 and Y coordinate 2375018.000 heading east on a slight tangent to X coordinate 277773.980 and Y coordinate 2374995.380, then south passing the Grand Turk Methodist Church and the western boundary of parcel 10404/202 (*a Crown land holding amended under this designation as a buffer zone and subsequent Public Park*) to X coordinate 277723.150 and Y coordinate 2374781.390, taking a slight westward turn to the area bordering the northern edge of land parcel 10404/200 and 10404/190 at X coordinate 277696.330 and Y coordinate 2374790.390, before heading south along the parcel's western

internationally important bird species inclusive of the two (2) rare and endangered species protected under the Wild Birds Protection ordinance (the American Flamingo *Phoenicopterus ruber*, and the Brown Pelican *Pelecanus occidentalis*);

- East banks of salina also home to a thriving population of the endemic national flower, the Turks Heather *Limonium bahamense*;
- Nursery and permanent refuge for recreational and consumptive fish species such as mullet, snook and bonefish.

edge to the roadway area leading to Moxey Folly at X coordinate 277670.490 and Y coordinate 2374751.990, veering west to the intersection of Moxey Folly and Pond Street opposite Turks and Caicos Utilities Ltd (TCU) at X coordinate 277623.000 and Y coordinate 2374755.000 and then north in a straight line along Pond Street back to the starting point;

- 10405/215, 10405/216 and 10405/178 (totaling 5.98 acres) bounded by a line starting at the area adjacent Moxey Folly and Pond Street just opposite Turks and Caicos Utilities Ltd (TCU) at the corner of the eastern edge of land parcel 10405/205 occupied by the Grand Turk Court House at X coordinate 277629.260 and Y coordinate 2374745.630, heading east to X coordinate 277655.900 and Y coordinate 2374744.000 and then south in a series of undulations along the western boundary of parcel 10405/206 to X coordinate 277649.440 and Y coordinate 2374648.910, moving east on a slight tangent along the southern edge of this parcel to X coordinate 277665.000 and Y coordinate 2374668.000, then south to the point adjacent Pelican House at the corner of James Street with X coordinate 277572.450 and Y coordinate 2374286.850 veering west along James Street to the intersection of Pond Street just opposite the Triangle (PC's) Gas Station to X coordinate 277510.240 and Y coordinate 2374306.320, and then traveling north along Pond Street to a point at X coordinate 277552.470 and Y coordinate 2374464.580 heading east along the southern boundaries of land parcel 10405/208 in the area of the Financial Services Commission at X coordinate 277583.090 and Y coordinate 2374448.220 before moving north to X coordinate 277624.720 and Y coordinate 2374675.130 in a series of undulations back to the starting point.

*Site Plan HA 35*

*(Inserted by L.N. 49/2010)*

## NATIONAL PARKS REGULATIONS

### ARRANGEMENT OF REGULATIONS

#### SECTION

1. Citation
2. Interpretation
3. Prohibitions and permitted activities
4. Rescue vehicles and vessels
5. Emergencies
6. Zones
7. Dive vessels and charter vessels
8. Hovercraft
9. Provisions as to new and existing buoys and leasing of buoys
10. Specimen and artefact collection
11. Fees
12. Returns
13. Enforcement
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SCHEDULE 1: Forms

SCHEDULE 2: Zones

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### NATIONAL PARKS REGULATIONS – SECTION 8

*(Legal Notices 41/1992, 4/1994, 18/1994, 59/2013, 39/2014 and 25/2018)*

#### **Commencement**

*[7 August 1992]*

#### **Citation**

1. These Regulations may be cited as the National Parks Regulations.

#### **Interpretation**

2. In these Regulations—

“access lane” means a vessel or vehicle right of way within and perpendicular to the shoreline for access to and egress from the shore;

“anchoring zone” means a zone established under regulation 6(1)(f);

“animal or plant” means any marine or land vertebrate or invertebrate or animal product, whether living or dead, and any marine or land plant or plant product whether living or dead, including marine products as defined in the Fisheries Protection Regulations;

“aquatic sports zone” means a zone designated under regulation 6(1)(c);

- “area of historical interest” means an area so declared and described in the National Parks Order;
- “artefact” means any human-made object on land or in the sea that is of anthropological, historical or artistic value, including carvings and drawings in, or on, rock, carved stone and pottery shards;
- “beach games” means games and recreations normally associated with recreational beaches and adjacent waters, other than those specifically excluded by these regulations;
- “camping zone” means a zone established under regulation 6(1)(g);
- “charter vessel” means any seagoing sail or motor-powered vessel licensed or approved for hire to carry people;
- “Director” means the Director of Environment, Heritage and Parks;
- “Director of Planning” means the Director of Planning appointed under the Physical Planning Ordinance;
- “dive operator” means a person providing snorkel or scuba diving facilities for other persons, involving entry into, or exit from the water by means of a vessel;
- “dive vessel” means a vessel operated by a dive operator, when such vessel is actually involved in dive work, including the transportation of divers to and from the dive site;
- “DOE” means the Department of Environment, Heritage and Parks;
- “engineless vessel” means any seagoing apparatus with no onboard engine and powered by only human effort, including canoes, kayaks, surfboards and non-motorized dinghies;
- “fishing zone” means a zone established under regulation 6(1)(j);
- “fixed DOE buoy” means a DOE numbered white with blue stripe buoy, or any buoy with DOE approved markings that has been installed in a site approved by the DOE;
- “form” means a form prescribed in Schedule 1;
- “hovercraft” means a self-propelled motorized sea craft that rides on a cushion of air, capable of motion on both land and sea;
- “jet ski” means (regardless of the trade name of the vessel concerned) a motor vessel propelled by a water jet—
- (a) capable of carrying a maximum of four persons; and
  - (b) having a maximum length of ten feet; (*Amended by L.N. 18/1994*)
- “motor vehicle” means any self-propelled wheeled vehicle, including cars, trucks, motorcycles, scooters and all terrain vehicles (ATV);
- “motor vessel” means any apparatus propelled, or capable or being propelled, on the sea by use of an onboard or outboard motor, including sail vessels containing motors;
- “national park” means an area so declared and described in the National Parks Order;
- “nature reserve” means any area so declared and described in the National Parks Order;
- “Park Warden” means a person referred to in regulation 13(1) or (2);
- “parking zone” means a zone established under regulation 6(1)(h);

- “permanent mooring” means a mooring with a suitable attachment for securing a mooring buoy set into or laid on the sea bed solely for that purpose and incapable of movement in normal circumstances;
- “rescue vehicle” or “rescue vessel” means a vehicle or vessel approved by the Director for use in rescue under regulation 4;
- “sail vessel” means a wind surfer, boat or ship propelled on the water by the wind;
- “sanctuary” means an area so declared and described in the National Parks Order;
- “shoreline” means that part of any national park, nature reserve or sanctuary comprising the foreshore and sand-dunes immediately adjacent to the sea;
- “swimming zone” means a zone established under regulation 6(1)(a);
- “training zone” means a zone designated under regulation 6(1)(d);
- “vessel” means any vehicle which travels on water and includes ships, boats, dinghies, windsurfers, jet skis and any motorized vessel;
- “wall” means the fifty-fathom depth isobath on the seaward boundary of any national park;
- “water ski” means a ski or ski-like apparatus used in gliding behind a power vessel over the surface of the water;
- “zone” means a zone, access lane or right of way established under regulation 6.

### **Prohibitions and permitted activities**

3. (1) The following are prohibited within all national parks—
- (a) the taking of any animal or plant by any method on land or at sea, except to the extent permitted in any fishing zone;
  - (b) the taking of any artefact;
  - (c) the destruction of, or damage or injury to, any animal or plant;
  - (d) the removal of sand, rock, coral, coral-rag or any calcareous substance, except where such removal is necessary to maintain traditional use and access to an established navigational channel, dock or marina; (*Amended by L.N. 59/2013*)
  - (e) anchor damage to coral reef structures living or dead and associated marine plant and animal life;
  - (f) the anchoring of vessels greater than sixty feet in length other than in an anchoring zone;
  - (g) jet skis and hovercraft, other than a hovercraft approved or permitted under regulation 8 to operate in a national park; (*Amended by L.N. 59/2013*)
  - (h) water skiing, except in a water-ski zone;
  - (i) the dumping of refuse, abandoned vehicles, toxic or other wastes, bilges, oil and other petroleum products, pesticides and other items harmful to animals or plants, or unsightly items;
  - (j) the driving or riding of motor vehicles and bicycles other than on public roads declared under the Road Traffic Ordinance or in a parking zone;

- (k) car parking except in a parking zone;
  - (l) the making of fires, other than in a portable stove or grill;
  - (m) camping except in a camping zone or with the prior written approval of the Director;
  - (n) erecting any structure unless authorized by the Director of Planning;
  - (o) playing a game to the discomfort of other persons;
  - (p) playing any musical instrument, radio, cassette player, record player, television or other item which produces or reproduces music, to the discomfort of other persons;
  - (q) operating a vessel in excess of fifteen miles per hour unless within an aquatic sports or water-ski zone. (*Inserted by L.N. 18/1994*)
- (2) The following are prohibited within all nature reserves—
- (a) the taking of any animal or plant by any method on land or at sea, except to the extent permitted in any fishing zone;
  - (b) the taking of any artefact;
  - (c) the removal of sand, rock, coral, coral-rag or any calcareous substance;
  - (d) anchor damage to coral reef structures living or dead and associated marine plant and animal life;
  - (e) the anchoring of vessels greater than sixty feet in length other than in an anchoring zone;
  - (f) water skiing, jet skis or hovercraft, other than hovercraft approved or permitted under regulation 8 to operate in a nature reserve; (*Amended by L.N. 39/2014*)
  - (g) Half Moon Bay Channel; (*Inserted by L.N. 25/2018*)
  - (h) the dumping of refuse, abandoned vehicles, toxic or other wastes, bilges, oil and other petroleum products, pesticides and other items harmful to animals or plants, or unsightly items;
  - (i) the driving or riding of motor vehicles and bicycles other than on public roads declared under the Road Traffic Ordinance or in a parking zone;
  - (j) car parking except in a parking zone;
  - (k) the making of fires, other than in a portable stove or grill;
  - (l) camping except in a camping zone or with the prior written approval of the Director;
  - (m) erecting any structure unless authorised by the Director of Planning;
  - (n) playing a game to the discomfort of other persons;
  - (o) playing any musical instrument, radio, cassette player, record player, television or other item which produces or reproduces music, to the discomfort of other persons.

- (3) The following are prohibited within all sanctuaries—
- (a) public access unless with the prior written approval of the Director in form NP1;
  - (b) the introduction either temporary or permanent of any domestic animal or any other animal or plant not indigenous to the site;
  - (c) the taking of any animal or plant by any method on land or at sea;
  - (d) the taking of any artefact;
  - (e) the destruction of, or damage or injury to, any animal or plant;
  - (f) the removal of sand, rock, coral, coral-rag or any calcareous substance;
  - (g) anchor damage to coral reef structures living or dead and associated marine plant and animal life;
  - (h) the anchoring of vessels greater than sixty feet in length other than in designated areas;
  - (i) water skiing, jet skis or hovercraft;
  - (j) the dumping of refuse, abandoned vehicles, toxic or other wastes, bilges, oil and other petroleum products, pesticides and other items harmful to animals or plants, or unsightly items;
  - (k) erecting any structure unless authorized by the Director of Planning.
- (4) The following are prohibited within all areas of historical interest—
- (a) subject to any building preservation order made under the Physical Planning Ordinance, any alteration to the outward appearance of any structure that is not otherwise permitted by that Ordinance;
  - (b) the taking of any animal or plant by any method on land or at sea;
  - (c) the taking of any artefact;
  - (d) the removal of sand, rock, coral, coral-rag or any calcareous substance;
  - (e) anchor damage to coral reef structures living or dead and associated marine plant and animal life;
  - (f) the anchoring of vessels greater than sixty feet in length other than in an anchoring zone;
  - (g) water skiing, jet skis or hovercraft;
  - (h) the dumping of refuse, abandoned vehicles, toxic or other wastes, bilges, oil and other petroleum products, pesticides and other items harmful to animals or plants, or unsightly items;
  - (i) erecting any structure unless authorized by the Director of Planning.
- (5) No person, other than a Park Warden acting in the course of his duties, shall use or have in his possession within a national park, nature reserve, sanctuary or area of historical interest any type of firearm, air gun, spear gun, cross bow, bow and arrow or other similar weapon.

(6) Subject to subregulations (1), (2) and (4), the following are permitted within national parks, nature reserves and areas of historical interest—

- (a) pedestrian access routes designated by the Director;
- (b) vessels, subject to—
  - (i) their not entering the swimming zones except if they are rescue vessels, fisheries vessels, police vessels, or DOE vessels engaged in placing, repairing, replacing or removing fixed DOE buoys or performing rescue, but provided that persons involved in such operations cause no unnecessary damage to the environment within the zone and that the vessels leave the swimming zone upon completion of the operation within the zone;
  - (ii) their not depositing on the land or in the water of the national park, nature reserve or area of historical interest any refuse, waste produce or other item or substance which does or is likely to diminish or restrict the enjoyment of the amenities of the national park, nature reserve or area of historical interest; and
  - (iii) the occupants of such vessel committing no other breach of these regulations;
- (c) anchoring on clear sandy bottom, provided subregulations (1)(f), (2)(e) and (4)(f) are not contravened.

(7) For purposes of this regulation the following are established navigational channels, docks or marinas—

- (a) Beaches Jetty;
- (b) Club Med Jetty;
- (c) English Cut (Turtle Cove);
- (d) Fisheries Dock - South Caicos;
- (e) Government Dock - Grand Turk;
- (f) Government Dock - South Caicos;
- (g) Half Moon Bay Channel; (*Inserted by L.N. 25/2018*)
- (h) Leeward Channel;
- (i) Marriot site existing dock;
- (j) Regatta Village Dock - South Caicos;
- (k) South Creek - Grand Turk;
- (l) Town Dock – Grand Turk; and
- (m) West Caicos Marina.  
(*Inserted by L.N. 59/2013*)



### **Rescue vehicles and vessels**

4. The Director may, in writing, approve any—
- (a) motor vehicle to be used as a rescue vehicle;
  - (b) motor vessel to be used as a rescue vessel,

within any national park, nature reserve, sanctuary or area of historical interest.

### **Emergencies**

5. No prohibition on anchoring imposed by these regulations shall apply in an emergency, during the currency of a hurricane warning or when permission is given by the District Commissioner or Harbour Master to a specific vessel in circumstances which, in the opinion of such person, constitute an emergency.

### **Zones**

6. (1) The Director may establish within a national park or nature reserve, the following zones exclusively for the purposes permitted within such zones—

- (a) swimming zones, where—
  - (i) bathing, swimming, snorkelling and scuba diving other than from a vessel, beach games and other ancillary pursuits are permitted;
  - (ii) all vessels, including engineless vessels, except those exempt in regulation 3(6)(b), are prohibited;
- (b) access lanes where—
  - (i) access and egress by vessels and vehicles, other than those specifically prohibited from use within the national park or nature reserve, are permitted to and from the shore for the purpose of launching, recovery, loading, unloading, embarkation and disembarkation of such vessels;
  - (ii) a vessel or vehicle speed in excess of five mph and access or egress other than at right angles to the shoreline is prohibited;
- (c) aquatic sports zones where sailing, windsurfing, canoeing, kayaking, swimming, snorkelling, scuba diving from a vessel and other ancillary activities are permitted;
- (d) training zones where the training of persons for scuba diving or snorkelling is permitted;
- (e) water-ski zones not less than 100 yards from a shoreline where the use of water skis and aqua slide equipment for sport, and the transit of all vessels including engineless vessels is permitted;
- (f) anchoring zones where the anchoring of vessels greater than sixty feet in length is permitted;
- (g) camping zones where camping is permitted;
- (h) parking zones for the purpose of parking vehicles while in the proximity of a national park, nature reserve or area of historical interest;

- (i) entry right of ways for the purpose of providing controlled access to a national park, nature reserve or area of historical interest;
- (j) fishing zones where, subject to the Fisheries Protection Regulations, non-commercial recreational fishing from the shoreline or from the piers or jetties within the zone is permitted, using light tackle of not more than 30 pounds breaking strain.

*(Amended by L.N. 18/1994)*

(2) There are established within the national park, nature reserve, sanctuary or area of historical interest specified in the first column of Schedule 2 the zones described opposite thereto in the second column of the Schedule.

(3) The Director may, subject to any conditions specified by him, establish within the same area of a national park or nature reserve all or any combination of the zones mentioned in subregulation (1). *(Inserted by L.N. 18/1994)*

### **Dive vessels and charter vessels**

7. A dive vessel or charter vessel shall only be permitted within a national park or nature reserve subject to the conditions that—

- (a) the owner or operator of the vessel applies in form NP2 for a licence in form NP3 permitting him to operate within the national park or nature reserve;
- (b) the vessel moors only to fixed DOE buoys approved by the Director;
- (c) the vessel does not enter the swimming zones unless permitted under regulation 3(6)(b)(i);
- (d) the vessel anchors only in clear sandy bottom; and
- (e) the owner or operator of the vessel pays the fees referred to in regulation 11.

### **Hovercraft**

8. A hovercraft shall only be permitted within a national park or nature reserve subject to the condition that—

- (a) the owner or operator of the vessel applies in writing to the Director for permission to operate it within the national park or nature reserve;
- (b) the vessel is used to provide passenger ferry service only (recreational use is prohibited); and
- (c) the owner or operator of the vessel pays the fees referred to in regulation 11.

*(Inserted by L.N. 39/2014)*

### **Provisions as to new and existing buoys and leasing of buoys**

9. (1) Subject to the terms of a Development Order made under the Encouragement of Development Ordinance before the date of commencement of these regulations, from that date—

- (a) no buoys shall be installed before prior approval in writing has been obtained from the Director;
- (b) buoys approved under paragraph (a) shall become the property of the Crown; and

(c) no anchoring shall be permitted within 300 feet of a dive site mooring buoy.

(2) An individual, or owner or operator of a dive vessel or charter vessel, may apply to the Director in form NP4 to lease single-user buoys that are not dive site mooring buoys.

### **Specimen and artefact collection**

10. Notwithstanding regulation 3, the Director may grant a written permit to scientists to collect—

- (a) animal and plant specimens within a national park, nature reserve, sanctuary or area of historical interest;
- (b) artefacts from a national park, nature reserve or area of historical interest,

subject to any conditions specified in the permit relating to the maximum number of specimens or artefacts that may be so collected and the prohibition or restriction of their export.

### **Fees**

11. (1) The Minister responsible for the Ordinance shall, not more than once a year, approve a tariff of fees to be charged—

- (a) for the issue of a permit pursuant to regulation 3(3)(a) or regulation 10;
- (b) for the making of an application under regulation 7(a), 8(a) or 9;
- (c) for the lease of a single-user buoy pursuant to regulation 9(2);
- (d) to an owner or operator of a dive vessel, charter vessel or hovercraft operating within a national park or nature reserve;
- (e) to a dive operator for each scuba dive or snorkel trip made by clients of such operators; and
- (f) for such other activity carried on for gain within a national park or nature reserve as the Minister may determine.  
(Amended by L.N. 39/2014)

(2) The fees referred to in—

- (a) subregulation (1) may, from time to time, be published by notice in the *Gazette*, but liability for their payment shall not depend on such publication;
- (b) subregulation (1)(d) shall be chargeable in advance in relation to the length of the vessel used and payable by crossed cheque to the Director;
- (c) subregulation (1)(e) shall be chargeable in arrears in relation to the number of divers using a specified dive site per year and payable by crossed cheque to the Director before the 1 January of the succeeding year.

(3) The owner or operator of a dive vessel or charter vessel shall, in making payment under subregulation (2), furnish the Director with a return in form NP5A or NP5B, as appropriate.  
(Substituted by L.N. 18/1994)

### **Returns**

12. Regardless of whether a tariff of fees has been approved under regulation 11(1), every owner or operator of a dive vessel or charter vessel operating within a national park or nature

reserve shall, within seven days of the end of the preceding calendar month, make a return in respect of that month in form NP5A or NP5B, as appropriate. (*Inserted by L.N. 18/1994*)

### Enforcement

13. (1) These regulations shall be enforced by Park Wardens appointed by the Governor, after considering recommendations made by the Director.

(2) A person appointed as a Police Officer and any person appointed as a Fisheries Officer shall be deemed to be a Park Warden for the purpose of these regulations.

(3) A Park Warden or officer referred to in subregulation (2) shall have the power—

- (a) to enter all parts of a national park, nature reserve, sanctuary or area of historical interest for the purpose of preventing the commission of an offence under regulation 14;
- (b) to arrest without warrant any person committing such offence or whom the Park Warden or officer reasonably suspects to be committing, to have committed or be about to commit such offence; and
- (c) to seize any article, item or thing of whatever kind that he reasonably suspects has been used in the commission of such offence until the determination of proceedings in respect of that offence.

(*Substituted by L.N. 4/1994*)

### Offences and penalties

14. (1) A person contravening regulation—

- (a) 3(1)(d), (e) or (i);
- (b) 3(2)(c), (d) or (g);
- (c) 3(3);
- (d) 3(4)(c), (d), (e) or (h); or
- (e) 3(5),

commits an offence and is liable on summary conviction to a fine of \$50,000 or to imprisonment for a term of twelve months, or to both.

(2) A person contravening any other provision of these Regulations that imposes a duty of compliance, commits an offence and is liable on summary conviction to a fine of \$5,000 or to imprisonment for a term of six months, or to both.

(3) If an offence under subregulation (1) or (2) is a continuing one, the person convicted of it is liable to a further fine not exceeding \$100 for every day or part of a day on which the offence has continued.

(4) The court before which any person is convicted of an offence under this regulation may order—

- (a) the forfeiture to the Government of any item, article or thing used in the commission of the offence;

(b) that the person so convicted pay the cost of repairing any damage to a national park, nature reserve, sanctuary or area of historical interest caused by the commission of such offence.

(5) An item, article or thing forfeited pursuant to subregulation (4)(a) shall be destroyed, unless the Governor in Cabinet directs that it be disposed of in some other specified manner.

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**SCHEDULE 1**

*(Regulations 2, 3, 7, 9, 11 and 12)*

**FORMS**

FORM NP 1

NATIONAL PARKS REGULATIONS

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**PERMIT FOR ACCESS TO SANCTUARY**

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..... [Name of applicant(s)]

of ..... [Address in Islands]

.....  
.....

is hereby granted permission to enter  
..... [Name of Sanctuary]

between the following dates

..... [Start date]

..... [End date]

subject to the provisions of the National Park Regulations and subject to the following conditions—

1. This permit must be carried at all times by the holder during the exercising of permission granted herein.
2. ....  
.....  
.....  
.....  
.....  
.....  
.....  
.....

Given at Grand Turk this .....day of .....20.....

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DIRECTOR OF ENVIRONMENT, HERITAGE AND PARKS

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FORM NP 2

NATIONAL PARKS REGULATIONS

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**APPLICATION FOR LICENCE TO OPERATE  
DIVE/CHARTER VESSEL IN A NATIONAL PARK**

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**1. Name, address in the Islands and telephone number of Applicant**

[If the Applicant is not a Belonger within the meaning of the Immigration Ordinance, the Applicant must provide details of his passport, his immigration status in the Turks & Caicos Islands and particulars of his Bank or a reference from a bank which is established in the Islands]

**2. Licence required**

I hereby apply for the issue to me of a licence to operate a Dive/Charter vessel in the ..... National Park in accordance with the provisions of the National Parks Regulations, for a period of six months / twelve months\*

**3. Particulars of vessel to be used**

[Give full details and evidence of its being seaworthy and properly equipped; date and particulars of last marine survey to be given if the vessel is not ordinarily based in the Islands]

**4. Particulars of crew**

[Give name, qualification and address of master or other person in charge of vessel]

**5. Security for payment of fees**

[Security offered for payment of fees becoming due in respect of operations by the Applicant under the licence]

6. **Other information**

[Any information offered to enable the Director to satisfy himself as to the suitability of the Applicant]

7. **Address for service**

[If the Applicant is a body corporate, partnership or association of persons full details must be provided, including registered address in the Islands for service of documents or notices.]

Signature or common seal of Applicant.

Dated the.....day of .....20.....

*\* Delete as necessary*

**Note:** This application must be submitted in duplicate and delivered or sent by registered post to the Director at the Department of Environment, Heritage and Parks.

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FORM NP 3

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**LICENCE TO OPERATE DIVE/CHARTER VESSEL**

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\*.....of..... is hereby authorised to operate a DIVE/CHARTER vessel in the ..... National Park Nature Reserve in accordance with the National Parks Regulations subject to the following—

1. **Particulars of vessel**

[Name, number or other identification]

2. **Period of licence**

[Insert dates. Licences can be for six months or twelve months.]

3. **Licence to be carried on vessel**

The licence shall at all times be carried on the vessel to which it relates, and shall be produced for inspection by the Master or other person in charge on demand made by any person empowered to enforce the National Park Regulations.

4. **Cancellation of licence**

(a) The Director may cancel any licence if he is satisfied that the licensee has supplied any false information to procure the issue of the licence or has committed any material breach of the Regulations or used any vessel or equipment which is unsafe or unlawful.

(b) When a licence is cancelled no part of any fees paid for the licence shall be repayable.

5. **Failure to pay fees**

A licence shall lapse forthwith if the licensee fails to pay the fees due therefor on the due date or dates.

6. **Inspection of licensee's records of operation**

The licensee shall at all reasonable times provide facilities for any person authorised by the Director to inspect any records kept by the licensee as to his operations under the licence and in particular those records which are relevant to the calculation of the fees payable for the licence.

Given at Grand Turk this .....day of.....20.....

DIRECTOR OF ENVIRONMENT, HERITAGE AND PARKS

\* A licence may be issued to an individual, a partnership, a body corporate or an association of persons. The licence should state the capacity or status of any such and in the case of a body corporate should state the country in which it is incorporated.

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FORM NP 4

NATIONAL PARKS REGULATIONS

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**APPLICATION TO LEASE A SINGLE-USER BUOY  
IN A NATIONAL PARK OR NATURE RESERVE**

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1. **Name, address in the Islands and telephone number of Applicant**

[If the Applicant is not a “Belonger” within the meaning of the Immigration Ordinance, the Applicant must provide details of his passport, his immigration status in the Turks & Caicos Islands, and particulars of his Bank or a reference from a Bank which is established in the Islands]

2. **Name required**

I hereby apply for the issue to me of a lease for the sole use of a mooring buoy within the ..... National Park/Nature Reserve in accordance with the provisions of the National Parks Regulations, for a period of six months to twelve months.

3. **Particulars of mooring buoy required**

[Give location and other details of buoy for which lease is required]

4. **Particulars of vessel to be used**

[Give full details of vessel including Name and Identification Number, length and displacement]

5. **Particulars of crew**

[Give name, qualification and address of Master or other person in charge of vessel]

**NOTE:** This application must be submitted in duplicate and delivered or sent by registered post to the Director at the Department of Environment, Heritage and Parks.

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Form N. P. 5A  
NATIONAL PARKS  
MONTHLY RETURN

(Note: Where more than one vessel has been operated, complete a separate return in respect of each)

Month.....	Year.....	Name of Dive Vessel.....	Operator.....	No. of Passengers
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
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28				
29				
30				
31				



**SCHEDULE 2**

*(Regulation 6(2))*

**ZONES**

<b>National park, nature reserve, sanctuary or area of historical interest</b>	<b>Zones</b>
1. Princess Alexandra National Park	<p>(1) Aquatic sports, swimming and training zones comprising the area between low water mark and a line situated 100 yards offshore from low water mark, running parallel to the shore and situated in:</p> <ul style="list-style-type: none"><li>(a) the Turtle Cove Area, from the western boundary of Babaloo Beach at Grid reference YV 862 115 to the Eastern boundary of the Provident/Turtle Cove Park (YV 867 118);</li><li>(b) the Princess Sheraton Area, from the western boundary of the Sheraton Hotel site (YV 896 119) to the eastern boundary of the Island Princess Hotel site (YV 900 122);</li><li>(c) the PDM Beach area from YV 906 127 to YV 908 129;</li><li>(d) the Turquoise Area extending from the eastern boundary of the Ramada Hotel site (YV 920 130) to the eastern boundary marker of the Club Med Hotel site (YV 928 138).</li></ul> <p>(2) Access Zones for the purpose of allowing entry and egress of boats (both power boats and sail and manually propelled boats). Each Access Zone will comprise an area 100 feet wide extending from the beach to a point 110 yards offshore from the low water mark. Access Zones will be situated at the following Grid references: YV 862 115, YV 872 116, YV 881 112N, YV 889 115, YV 900 122, YV 904 126, YV 907 128, YV 914 129, YV 919 130, YV 924 133, YV 927 138, YV 933 149.</p>

- (3) A Swimming zone where swimming and snorkelling only are permitted. This zone will comprise the area between low water mark and a line situated 100 yards offshore from low water mark, running parallel to the shore. This zone will comprise the entire remaining coastal strip between Babaloo Beach (YV 862 115) and Leeward-Going-Through Point (YV 165 162).
- (4) A water-ski zone where water skiing, paragliding and similar activities using power-driven vessels will only be permitted. This zone will be bounded by a line perpendicular to the shore at the eastern boundary of the Ramada Hotel Site (YV 920 130) and a line perpendicular to the shore at the eastern boundary marker of the Club Med Hotel site (YV 928 138) and comprising the entire area from a line situated 100 yards below low water mark and running parallel to the shore to a line situated 1000 yards below low water mark and running parallel to the shore.
- Grid references are to sheet 3 Series E8112 (DOS 309P) Edition 2-OSD 1985.
2. Columbus Landfall  
Marine National Park
- A fishing zone situated between land parcel 10301/7 (Grid reference BP 772 763) and land parcel 10306/ 17 (Grid reference BP 774 746). Grid references are to sheet 14 Series E8112 (DOS 309P) Edition 2-OSD 1985.
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**NATIONAL PARKS (FEES) NOTICE –  
REGULATION 11 OF THE NATIONAL PARKS REGULATIONS  
(Legal Notice 24/2011)**

**Commencement**

[5 July 2011]

**Citation**

1. This Notice may be cited as the National Parks (Fees) Notice.

**Fees**

2. The fees prescribed in the Schedule shall be payable in respect of—
  - (a) vessels operating within a national park or nature reserve;
  - (b) other commercial activities carried on for gain within a national park or nature reserve.

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**SCHEDULE**

Non-motorised vessel .....	\$70
Vessel less than 30 ft .....	\$15/ft
Vessel 30-60 ft .....	\$30/ft
Vessel greater than 60 ft .....	\$60/ft
Single user mooring .....	\$270
Other commercial activity .....	\$400

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**DESIGNATION OF PUBLIC PARKS GRAND TURK**

*(Gazette Notices 198/1993 and 747/2016)*

The following areas in Grand Turk are designated as areas which are designated for public purposes and for use by the general public as parks:

- (1) 10204/211 & 212 Columbus Park – An area adjacent to the south of the Guanahani Beach Hotel.
- (2) 10304/123 Front Street Park – An open space partly enclosed in front of the Churchill Building.
- (3) 10306/51 Gunners Terrace Park – A strip of land along the beach South Suburbs generally used by residents to secure their small boats.
- (4) 10307/22 Close Haul Road Park – An area of land containing a cedar grove that was planted approximately fifteen years ago and is used by residents of Palm Grove.
- (5) 10308/202 & 10501/39 & 42 Palm Grove Park – Open space comprising land within the Palm Grove and Caution Curve area.
- (6) 10402/13 Overback Park – The area fenced and an additional area to the south for expansion frequently used by the children.
- (7) 10402/11 Island Park – An island within the town Salinas with an area of approximately 9.67 acres.
- (8) 10503/1, 65 (pt) Governors Beach Park – An area of approximately 0.80 acres adjacent to Waterloo and used for picnic outings.
- (9) 10505/43 Hawks Nest Park – An area of land to the southern end of Grand Turk.

