

THE NATIONAL PARKS ORDINANCE, 1962
(Ordinance No, 5 of 1962)

THE KINABALU NATIONAL PARK REGULATIONS,
1971

In exercise of the powers conferred upon the Board of Trustees under section 27 of the National Parks Ordinance, 1962, the following Regulations are hereby made with the approval of the Minister –

1. These Regulations may be cited as the Kinabalu National Park Regulations, 1971.

2. In these Regulations –

"National Park" means the Kinabalu National Park constituted under section 3 of the National Parks Ordinance, 1962 [*Ord. No. 5 of 1962*].

3. No person shall, except as provided by these Regulations, within the National Park –

(a) deposit or leave any litter, bottle, broken glass, china, pottery, plastic, rubbish, refuse or waste material except in an area or receptacle provided by the Board of Trustees (hereinafter referred to as "the Board");

(b) deposit or leave any mineral or mineral waste;

(c) deposit, discharge or leave any offal, filth, dung, dead animal or any noisome, noxious, offensive or polluting substance matter or thing;

(d) play any radio, tape recorder, record player or musical instrument outwith the confines of any youth hostel, visitor cabin or any permanently erected building;

- (e) obstruct, threaten, interfere with or refuse to comply with any lawful request or reasonable direction by the Park Warden, Assistant Park Warden, Senior Park Ranger, Park Ranger or Assistant Park Ranger.

4. No person shall, without the consent in writing of the Board or the Park Warden previously obtained and subject to such conditions as the Board may from time to time determine, within the National Park –

- (a) sell or attempt to sell or hire, expose for sale or hire or solicit for sale or hire any article, thing or service to any person, or conduct or cause or assist the operation of any amusement, entertainment, instruction or performance for money or consideration of any kind whatsoever;
- (b) carry on any scientific, research work or similar activity;
- (c) erect any hoarding, or notice, or display any commercial or political advertising matter, sign, bill or poster;
- (d) deviate from any existing ride, drive, road, tract, or trail so as to establish or assist in the establishment of any additional ride, drive, road, track or trail;
- (e) dam, divert or pollute the water in any river, stream, pond, bog, spring, tank, dam, pipe or reservoir.

5. The proprietor or employee of any proprietor or director of any establishment whether private or Government, within the National Park shall deposit rubbish and refuse in an area set apart for the purpose by the Park Warden and shall dispose of such rubbish and refuse in such manner as shall be directed by the Park Warden or by any person acting under the authority of the Park Warden.

6. No person in a state of intoxication shall enter or remain within the National Park and any person trespassing or causing annoyance or inconvenience therein or refusing to comply with any lawful direction of the Park Warden, Assistant Park Warden, Senior Park Ranger, Park Ranger or Assistant Park Ranger may be removed by any such officer or any other officer authorised by the Park Warden in that behalf.

- 7.** The Board may set apart areas for the purposes of parking, driving, camping, caravan parks, cabin areas, hotels, service stations, restaurants, bars, shops, recreational grounds, utility areas or staff housing and may impose such charges and conditions of use of such areas or the amenities affixed thereto as it may from time to time determine.
- 8.** No person shall erect or cause to be erected any tent or other structure or utilise any part thereof for the purpose of camping or residing therein or for camping or residing in any vehicle, caravan or trailer except in an area set apart for camping or as a caravan park with the permission of the Park Warden, Assistant Park Warden, Senior Park Ranger, Park Ranger or Assistant Park Ranger and subject to such conditions and payments as the Board may from time to time determine.
- 9.** The Park Warden, Assistant Park Warden, Senior Park Ranger, Park Ranger or Assistant Park Ranger may order the occupier or person responsible for or owner of any cabin, caravan, tent or structure within the National Park to demolish and remove the same and clear the area forthwith and in default any such officer or any person authorised by him in that behalf may demolish and remove the said cabin caravan, tent or structure at the expense of the occupier or person responsible therefor or the owner thereof.
- 10.** The Park Warden, Assistant Park Warden, Senior Park Ranger, Park Ranger or Assistant Park Ranger may impound any domestic animal found straying without lawful authority within the National Park. Such impounded animal may be released to its owner upon payment of such maintenance fee as may be determined by the Board for every day or part of a day that the animal has been impounded. A notice of all animals impounded shall be displayed at all National Park entrances and at the District Office of the district in which the animals were found.
- 11.** The National Park shall be open at all times except as provided in Regulation 12.
- 12.** The Board or the Park Warden may close the whole or any part of the National Park for such period or periods as it or he may from time to time determine and exhibit by a notice affixed or set up in a conspicuous position at or near any entrance to or within the National Park. No person shall enter or be or remain upon or within any closed area unless with the

consent of the Park Warden, Assistant Park Warden, Senior Park Ranger, Park Ranger or Assistant Park Ranger.

13. (1) All persons who solicit their services as guide to the summit of Mount Kinabalu must be licensed in that behalf by the Board.

(2) All persons except those specially authorised in writing by the Park Warden, who wish to proceed to the summit of Mount Kinabalu beyond the camp known as Panar Laban must be accompanied by a guide licensed under paragraph (1).

14. All persons wishing to travel within the National Park away from any established path, track, trail or road, or undertake rock climbing, speleology, exploration, bushwalking or venture of a similar nature which may involve his safety or the safety of others must first obtain the written approval of the Park Warden and be subject to such conditions as are laid down in the written approval.

15. All tracks, paths, roads or ways of any description that enter or cross any part of the National Park shall be under the control of the Park Warden and he may at his discretion –

- (a) close such tracks, paths, roads or ways;
- (b) control the passage of vehicles and pedestrians along such tracks, paths, roads or ways and impose such conditions as he may from time to time require for the use and enjoyment of such tracks, paths, roads or ways;
- (c) erect any gate or barrier which he deems necessary for the proper control of such tracks, paths, roads or ways.

16. Any person who contravenes any of the provisions of these Regulations shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding five hundred dollars.

17. (1) The Park Warden, or any officer authorised by the Board in writing may, if he is satisfied that any person is guilty of an offence under these Regulations, summarily demand from such person a fine in respect of such offence not exceeding one hundred dollars.

(2) Any person from whom a fine has been demanded under this Regulation may elect to admit his liability and pay such fine or dispute his liability and await prosecution, and he shall be so informed at the time by the Park Warden or any officer authorised by the Board in writing making the demand.

(3) The payment forthwith, or within such time as the Park Warden or any officer authorised by the Board in writing may specify, of a fine demanded under this Regulation shall operate as a bar to any further penal proceedings against the person making such payment in respect of the offence concerned.

(4) Should the person from whom a fine is demanded under this Regulation fail to pay such fine forthwith, or within the time specified, as the case be, such summary demand shall not in any way relieve such person of any liability which he may have incurred or be a bar to his conviction and punishment by a competent Court in respect of the offence alleged.

Dated at Kota Kinabalu, this 5th day of August, 1971.

KASSIM BIN OTHMAN
Chairman,
Board of Trustees.