

## **THE NATIONAL PARKS ENACTMENT, 1977**

### **THE TURTLE ISLANDS NATIONAL PARK REGULATIONS, 1979**

In exercise of the powers conferred upon the Board of Trustees under section 35 of the National Parks Enactment, 1977, the following Regulations are hereby made with the approval of the Minister –

1. These Regulations may be cited as the Turtle Islands National Park Regulations, 1979.
2. In these Regulations –
  - (a) "national park" means the Turtle Islands National Park constituted under Part II of the National Parks Enactment, 1977.
  - (b) "Board", means the Board of Trustees appointed under Part III of the National Parks Enactment, 1977.
  - (c) "Director" means the Director, Deputy Director and Assistant Director of National Parks appointed under Part IV of the National Parks Enactment, 1977.
  - (d) "Minister" means the minister for the time being responsible for matters relating to the Environment.
  - (e) "Park Officer" means the Park Warden, Assistant Park Warden, Senior Park Ranger and Assistant Park Ranger appointed by the Board.
3. No person shall, except as provided by these Regulations, on the islands of Selingaan, Bakkungan Kecil and Gulisaan within the national park-

- (a) deposit or leave any litter, bottle, can, container, carton, glass, pottery, paper, metal, plastic, rubbish, refuse or waste material of any kind except in an area or receptacle provided by the Board for that purpose;
  - (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 matter or thing;
  - (d) cure, smoke, dry or salt any animal, fish, or reptile;
  - (e) play any radio, television set, tape recorder, cassette player, record player or musical instrument at a volume that will cause disturbance or annoyance to other users of the national park.
4. No person shall between the hours of 6.00 p.m. and 6.00 a.m. within the national park
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- (a) play any radio, television set, tape recorder, cassette player, record player or musical instrument outside the confines of a dwelling, cabin or other permanently constructed building;
  - (b) kindle or maintain any fire on any beach or open ground;
  - (c) walk along any beach unless authorised to do so by a Park Officer;
  - (d) carry or use any torch light or other lamp or apparatus designed for the diffusion or projection of light or any lighting apparatus commonly used to facilitate cinematography or the taking of photographs unless authorised so to do by a Park Officer.
5. No person shall destroy, injure, deface, mar, move, dig harmfully disturb or remove from the national park any beach sand, gravel or mineral, coral, sea feathers or other marine invertebrate, sea weed, grass, whether dead or alive, or any soil, rock, stone, artifact or other material.

- 6.** No person shall cut, carve, injure, mutilate, move, displace or break off any bottom coral formation or growth.
- 7.** No rope, wire, chain or other contrivance shall be attached to any coral, rock or other formation whether temporary or permanent in character or use.
- 8.** No dredging, excavating or filling operations of any kind are permitted within the national park and no materials of any sort may be deposited in or on the waters thereof.
- 9.** No person shall dump or deposit in or on the waters of the national park any oily liquid or waste, acid or other deleterious chemical, bottle, broken glass, paper, box, dirt, rubbish, waste, garbage, refuse or other debris or polluting substance.
- 10.** No person shall wilfully mark, deface or injure in any way, displace, remove or temper with any national park sign, notice, placard, whether temporary, or permanent, or with any stake, post, buoy or other boundary marker.
- 11.** Spear fishing or the possession of spear fishing equipment within the national park is prohibited.
- 12.** The use or the possession of organic or inorganic poisons, explosives, electric charges, carbide bombs or any similar method for the taking or killing of fish or other marine organisms within the national park is prohibited.
- 13.** (1) Fishing is permitted with hook and line only, provided that no more than two hooks per line are employed.  
(2) Trawler fishing and fishing with the aid of nets or traps of any sort is prohibited.
- 14.** Every person wishing to undertake underwater sports or activities such as scuba diving and other ventures of a similar nature must first inform a Park Officer of his intention to do so and obtain his approval in writing and be subject to the conditions laid down by such approval.

**15.** (1) No watercraft shall be operated in such manner as to strike or otherwise cause damage to the natural features of the national park.

(2) Except in case of emergency endangering life or property, no anchor shall be cast or dragged in such a way as to damage any reef structure. Watercraft remaining stationary over a reef area must secure themselves to buoys provided specially for this purpose by the Board.

(3) No watercraft shall operate at a speed greater than four miles per hour when in the vicinity of divers, sightseeing boats or fishermen.

(4) All watercraft from which diving operations are being conducted shall fly in a conspicuous manner the International Code of Signals Flag 'A', which is recognised as the international diving flag. No boat under power shall approach closer than one hundred yards to such a boat displaying the diving flag except at idling speed and with great caution.

(5) Boats anchored or proceeding at slow speed for fishing or observation shall be approached or passed at such slow speed that the wake of the approaching or passing boat does not disturb the fishing or observation boats.

**16.** No person shall obstruct, threaten, interfere with or refuse to comply with any lawful request or reasonable direction by a Park Officer.

**17.** No person shall, without a permit issued by the Board or the Director and subject to such conditions as may from time to time be determined within the national park -

(a) sell or attempt to sell or hire, expose for sale or hire or solicit for sale any article, thing or service to any person or conduct or cause to assist the operation of any amusement, entertainment, instruction, or performance for money of any kind whatsoever;

(b) carry on any scientific research work or similar activity;

(c) erect any board or notice or display any commercial or political advertising matter, sign, bill, or poster.

**18.** No person in a state of intoxication shall enter or remain within the national park and any person trespassing or causing a disturbance, annoyance or inconvenience therein or refusing to comply with any lawful direction of a Park Officer may be ordered to leave the national park or may be removed from the national park by a Park Officer or other employee of the Board authorised by a Park Officer to do so.

**19.** (1) No person shall use his vessel to carry passengers to the national park unless such vessel has been registered with the Park Warden.

(2) Any owner of a vessel desirous of engaging in the business of transporting passengers to the national park shall register his vessel with the Park Warden who may issue a permit which shall be subject to such conditions as he may prescribe. Only applications from owners of licensed vessels, permitted to carry passengers by the Marine Department and in the charge of a competent Serang will be considered.

(3) The Park Warden may charge a fee of \$10.00 for the issue of a permit under this regulation.

(4) The Park Warden may in his absolute discretion refuse to register any vessel under this regulation.

(5) Registered vessels, when engaged in the transport of passengers to the national park, shall carry a sign board conspicuously displayed on the vessel to the effect that it is authorised to carry passengers to the national park.

(6) No vessel or craft of any description shall anchor within the boundaries of the national park except at a place set apart for the purpose by a Park Officer.

**20.** (1) No helicopter shall land on any island within the national park without a prior permit from the Park Warden. Such permit shall be subject to such conditions as the Park Warden may prescribe.

(2) No helicopter shall land on any island within the national park except at a place indicated on the permit.

(3) The Park Warden may charge a fee of \$10.00 for issue of a permit under this regulation.

(4) The Park Warden may in his absolute discretion refuse to issue a permit under this regulation.

**21.** The Board may set apart areas for the purpose of camping, mooring, docking, landing, accommodation and services 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.

**22.** The Board may set apart areas for the purpose of swimming and other aquatic sports and may exclude watercraft from such areas.

**23.** 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 except in an area set apart for camping with the permission of a Park Officer and subject to such conditions and charges as the Board may from time to time determine.

**24.** A Park Officer may order the occupier or person responsible for or owner of any cabin, 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 person authorised by him in that behalf may demolish and remove the said cabin, tent or structure at the expense of the occupier or person responsible thereof or the owner thereof.

**25.** No person shall introduce any domestic animal into the national park. A Park Officer at his absolute discretion may impound or destroy any domestic animal found within the national park. Any impounded animal may be released to its owner upon paying 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.

**26.** The national park shall be open at all times except as provided in regulation 27.

**27.** (1) The Board or a Director may close the whole or 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 placed in

a conspicuous position at or near any entrance to or within the national park details of such closure.

(2) No person shall enter or be or remain upon or within any enclosed area unless with the consent of the Board, the Director or the Park Warden.

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

Dated at Kota Kinabalu, this 26th day of January, 1979.

TAN SRI (DATUK) THOMAS JAYASURIA,  
*Chairman,*  
*National Parks Board of Trustees.*

I approve,

DATUK YAP PAK LEONG,  
*Minister*  
*for Manpower and Environmental Development.*