THE FORESTS AND RESERVES ACT 1983

Act 41/1983 (Consolidated version)

Proclaimed by [Proclamation No. 4 of 1984] w.e.f. 1st May 1984

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To amend and consolidate the law relating to forests, reserves and related matters

1. Short title

This Act may be cited as the Forests and Reserves Act 1983.

2. Interpretation

(1) In this act-

“authorized officer” means a public officer entrusted by the Minister with responsibility for carrying out all the functions specified in this Act;

“base line”, in relation to a mountain range, means the line specified as such in the First Schedule;
“Chief Surveyor” means the Chief Surveyor of the Ministry of Housing, Lands and the Environment;

“destroy” includes bark, break, burn, bury, cut, fell, saw, uproot;

“district” has the same meaning as in the Local Government Act 1989;

“escarpment” means the bank of a river, rivulet or feeder, the mean slope of which makes an angle of not less than 60 degrees with the horizontal line;

“feeder” means the affluent of a river or rivulet;

“forest land” includes a national forest and all land which is not under cultivation and which is covered by trees;

“forest officer” means any public officer authorized in writing by the authorized officer;

“forest produce” includes bark, charcoal, coral, creeper, earth, fandia, fibres, firewood, fruit, grass, gum, honey, leaves, litter, moss, bird’s nest, peat, plants, resin, roots, sand, sap, seeds, spices, stones, trees, wax, withies and any other thing which the Minister may by regulations declare to be forest produce;

“game” has the same meaning as in the Wildlife Act;

“implement” includes any air rifle, bow and arrow, catapult, trap, noose, poison, axe, hatchet, saw or other instrument capable of being used for destroying trees or working timber;

“Minister” means the Minister to whom responsibility for the subject of forests is assigned;

“mountain range”-

(a) means a mountain or mountain range specified in the First Schedule; and

(b) includes the main chain and all spurs pertaining to the system;

“mountain reserve” means land lying between the ridge line and the mountain reserve line on either side of a mountain range;

“mountain reserve line”, in relation to a mountain reserve, means, subject to subsection (2), a line situated on the side or slope of the mountain reserve at an altitude which exceeds that of the base line by one third of the difference of altitude between the ridge line and the base line;

“national forest” means a forest declared as such under section 4;

“nature reserve” means an area specified in the Second Schedule;

“occupier”, in relation to immovable property –

(a) means the lessee;
(b) includes a person having possession of the property;

“owner”-

(a) includes a person having a legal interest in immovable property;

(b) does not include an occupier;

“Permanent Secretary” means the Permanent Secretary of the Ministry of Agriculture, Fisheries and Natural Resources;

“protected plant” means a plant or a class of plants specified in the Third Schedule;

“remove” means carry, convey, or take away in any manner;

“reserve” means a mountain, nature, river or road reserve;

“river” means a river specified in the Fourth Schedule;

“river reserve” means –

(a) where there is an escarpment, the land extending from the edge of a watercourse to the top of the escarpment;

(b) where there is no escarpment, the land extending from the edge of a watercourse to a distance measured on the horizontal plane –

(i) in the case of a river, of 1.6 metres;

(ii) in the case of a rivulet, of 8 metres;

(iii) in the case of a feeder, of 3 metres;

“rivulet” means a rivulet specified in the Fourth Schedule;

“road” has the same meaning as in the Roads Act;

“road reserve” means the land on each side of a road which forms part of the domaine public;

“State lands” includes land vested in the Curator;

“stream” includes –

(a) any marsh or morass situated on State land from which a stream flows;

(b) any marsh or morass not situated on State land declared to be a stream by the Minister, by regulations;

“structure” includes fencing;
“tree” includes live or dead timber, shrubs, Underwood, brushwood, bamboo, palm, branches and twigs;

“wood”-

(a) means any tree which has been cut or has fallen down; and

(b) includes any timber or produce derived from a tree.

Amended by [Act No. 48 of 1991]

(2) For the purpose of determining a mountain reserve line-

(a) a point in the ridge line shall have for its corresponding point in the reserve line a point lying in the same vertical plane as the point to be taken in the base for the measurement of altitude;

(b) the line passing through points in the ridge, reserve and base lines shall be the one which has least length in the horizontal projection;

(c) the reserve line shall –

   (i) not be a curved line;

   (ii) be composed of a series of straight lines following generally the theoretic line and neglecting its smaller sinuosities, drawn so as to ensure that in the whole no additional area is given to the reserve for any one property and that the reserve line is in no case less than 60.96 metres above the base line.

3. Nature Reserves Board

(1) There is established a Nature Reserves Board which shall advise the Minister –

(a) on any area which, in the opinion of the Board, shall be a nature reserve; and

(b) generally on all matters relating to nature reserves.

(2) The Board shall consist of –

(a) the Permanent Secretary or his representative, who shall be the Chairman; and

(b) not less than 5 nor more than 8 other members appointed by the Minister on such terms and conditions as he thinks fit.

(3) Subject to such directions as the Minister may give, the Board shall regulate its meetings and procedure in such manner as it thinks fit.

3A Control of access to nature reserves
The authorized officer may prohibit or restrict access to any nature reserve, and shall cause signs to be displayed in the nature reserve indicating the prohibition or restriction of access.

Added by [Act No. 7 of 2003]

4. National forest
   (1) The Minister may, by regulations –
      
      (a) declare any State land which is a forest to be a national forest;
      
      (b) specify the boundaries of every national forest.
      
   (2) Any area declared to be a national forest shall be inalienable and shall not be devoted to any use other than as forest land.

Amended by [Act No. 48 of 1991]

5. Survey of mountain reserves
   
   (1) The Chief Surveyor may after giving not less than 10 days’ written notice to the owner or occupier of a mountain reserve, by means of a survey determine the mountain reserve line of a mountain range or the boundary of a mountain reserve.
      
   (2) Notwithstanding section 15 of the Land Surveyors Act, a plan of every survey under subsection (1) shall be made and deposited in the Registry and endorsed by the Registrar with the date of deposit.
      
   (3) Every plan deposited under subsection (2) shall be open for inspection as soon as a notice to that effect is published by the Registrar in the Gazette and in three daily newspapers and for 30 days from the last publication of the notice.

Amended by [Act No. 29 of 1992]

6. Appeal against survey
   
   (1) Any person who is dissatisfied with a determination under section 5 which affects any property of which he is the owner or occupier may, within 21 days of the last publication of a notice under section 5, appeal against the determination to the Supreme Court within such time and in such manner as may be provided by rules made by the Supreme Court for the purpose.
      
   (2) The Supreme Court may, on an appeal under subsection (1), make such order as it thinks fit.

Amended by [Act No. 29 of 1992]

7. Deposit of survey and plan
   
   (1) The Registrar shall –
      
      (a) within 30 days of the last publication of a notice under section 5; or
(b) where an appeal is made under section 6, on the determination of the appeal, deposit in the office of the Chief Surveyor, the survey and plan subject to such alterations as may have been ordered, on appeal, by the Supreme Court.

(2) In any proceedings relating to a mountain reserve, a copy of a plan deposited under section 5 and signed by a surveyor, may be received in evidence in lieu of the original plan.

8. Removal of trees and brushwood

(1) The authorized officer may authorize the owner or occupier of –

(a) a mountain reserve to cut or remove –

(i) dead or dying trees; or

(ii) live trees of small size in coppice, for the purpose of improving the growing stock in the mountain reserve;

(b) a river reserve to cut or remove trees for –

(i) building a bridge;

(ii) making a road or establishing a path;

(iii) obtaining convenient access to a stream;

(iv) replanting the land.

(2) The authorized officer may impose such conditions on the grant of an authorization under subsection (1) as he thinks fit, including section 8 –

(a) to enable forest officers to exercise proper control over the operations;

(b) as to the security to be furnished by the owner or occupier for the payment of expenses incidental to any control exercised under paragraph (a);

(c) concerning the replanting of the land.

(3) The owner of a mountain or river reserve may destroy cuscuta creeper growing on the reserve and may, in the presence and subject to the directions of the authorized officer, lop off the branches of trees where such a course of action is necessary, to destroy the cuscuta creeper.

9. Planting of reserves

Where a mountain or river reserve is –
(a) Uncultivated;
(b) cultivated in such manner as to cause soil erosion;
(c) unoccupied and the owner cannot be ascertained,

the authorized officer may cause the land to be planted or replanted in such manner as he thinks fit.

10. Trees bordering roads

(1) Except with the written authorisation of the authorized officer, no person shall destroy a tree on a road reserve.

(2) The authorized officer may, with the written consent of the owner of land bordering a road reserve, plant one row of trees along each side of the road reserve in such manner as he thinks fit.

(3) Except with the consent of the owner of the building or land, as the case may be, no tree shall be planted within –

(a) 10 metres of a building;
(b) one metre of a boundary between the property of different owners.

(4) (a) Subject to paragraph (b), no person shall damage or, except with the written approval of the authorized officer, cut or remove a tree growing or planted within 2 metres of either side of a road.

(b) Paragraph (a) shall not affect the power of a person to cut trees under –

(i) the Electricity Act;
(ii) the Public Health Act;
(iii) the Roads Act; and
(iv) the Telecommunication Act.

11. Destruction of trees in unsurveyed forest

(1) No person shall destroy a tree on forest land which is–

(a) adjacent to land belonging to or claimed by the State;
(b) in the possession of or claimed by the Curator; or
(c) adjacent to a mountain reserve,

unless the forest land has been surveyed under the Land Surveyors Act and its boundaries, as determined by the survey, are clearly marked out and defined on the spot.
(2) No offence under subsection (1) shall be committed by the owner of the land where he cuts or marks trees for the purpose of defining the boundaries of the land if-

(a) he has given prior written notice of his intention to the Chief Surveyor; and

(b) no more damage is done to the trees than is necessary for the purpose.

Amended by [Act No. 48 of 1991]

12. Powers of search, seizure and arrest

(1) Any forest officer or police officer, the Chief Surveyor, the authorized officer, or the owner or occupier of the land on which an offence is committed, may, without warrant, arrest any person found committing an offence under this Act.

(2) Any forest officer or police officer, the Chief Surveyor or the authorized officer may at all reasonable hours enter –

(a) State land, forest land or any reserve;

(b) any land adjacent to State land, a mountain, nature or river reserve;

(c) any land which it may be necessary to cross in order to reach State land, a mountain, nature or river reserve.

(3) Any forest officer or police officer or the owner or occupier of the land, who finds any animal, other than game, on State land, a mountain, nature or river reserve may seize and impound the animal.

(4) Any animal seized and impounded under subsection (3) shall be dealt with in the manner specified in section 4 of the Prevention of Cruelty to Animals Act.

(5) The authorized officer or any forest officer may, at all reasonable hours, enter any premises where wood is kept and inspect the premises and the wood found on the premises.

(6) Where in the course of an inspection under subsection (5), the authorized officer or any forest officer has reason to believe that the wood kept on the premises has been obtained in contravention of this Act, he may seize and remove the wood.

(7) Any wood seized under subsection (6) and in respect of which a conviction for an offence under this Act ensues shall be forfeited unless the court, on being satisfied that the wood was obtained or removed from any land, other than State land, without the knowledge of the owner or occupier, orders that the wood be returned to the owner or occupier of the land.

(8) Any forest officer or police officer may for the purposes of this Act, stop any vehicle carrying forest produce and –
(a) where the driver or any person in charge of the vehicle fails to comply with an order given to him by the forest officer or police officer, he shall commit an offence; or

(b) where the forest officer or police officer has reason to believe that an offence is being or has been committed in contravention of this Act with respect to the forest produce carried by the vehicle, he may seize and remove the forest produce.

(9) Any cattle, vehicle, implement, or forest produce found in the possession of any person who contravenes this Act may be seized and taken to a police station and the officer in charge of the station shall retain them at such place as he thinks fit for production in respect of any prosecution for an offence under this Act.

Amended by [Act No. 48 of 1991]

13. Certificate of authorised officer

In any prosecution for an offence under this Act, a certificate signed by or under the authority of the authorized officer relating to –

(a) the fact that the alleged offence was committed on State land, a reserve or a national forest; or

(b) the value of any forest produce or damage caused, shall be evidence of the facts stated in the certificate.

Amended by [Act No. 48 of 1991]

14. Offences

(1) No person shall –

(a) plant a mountain or river reserve, or cause the reserve to be planted, otherwise than with fruit trees, forest trees or crops approved by the authorized officer;

(b) cultivate a mountain or river reserve otherwise than in accordance with any directions that may be given by the authorized officer;

(c) without the written authority of the authorized officer build any structure on a mountain or river reserve.

(2) No person shall –

(a) without the written authority of the authorized officer or in the case of forestland, the owner-

(i) introduce any article or thing injurious to plant life onto State land, forestland or a mountain, river or nature reserve;
(ii) be in possession of a firearm or an implement on State land, forest land or a mountain, river or nature reserve;

(iii) departure any animal or allow any animal to graze on State land, forestland or a mountain, river or nature reserve;

(iv) damage, destroy, dig or remove any forest produce on or from State land, forest land or any reserve or be in possession of any forest produce so damaged, destroyed, dug or removed;

(v) act negligently or maliciously in a manner which causes or is likely to cause soil erosion;

(b) deposit or throw any rubbish, article or thing of a dangerous or offensive nature on any State land or reserve;

(c) introduce any plant or animal into a nature reserve;

(d) light a fire in a nature reserve without the written authority of the authorized officer;

(e) in any way interfere with a nature reserve or damage any feature on a nature reserve;

(f) be in a national forest, between 6 pm and 6 am;

(g) plant, cultivate or intentionally spread or propagate cuscuta creeper; or

(h) damage or interfere in any way with a protected plant on any State land or reserve.

(3) Any person who, without the authority of the authorized officer –

(a) marks any forest produce or affixes on any forest produce a mark used by a forest officer to indicate that the forest produce is the property of Government or that it may be lawfully cut or removed;

(b) alters, obliterates, removes or defaces any stamp, mark, sign or permit used by a forest officer;

(c) alters, obliterates, removes or defaces any stamp, mark or sign appearing on any forest produce;

(d) covers any tree stump on State land, forest land, a reserve or a road reserve with brushwood or earth or by any means conceals, destroys or removes a tree stump; or

(e) wears any uniform, badge or other mark issued to be worn by a forest officer, shall commit an offence.

(4) Any person who contravenes this Act or any subsidiary enactment made under this Act or any direction given by the authorized officer shall commit an offence.
(5) Except with the authorisation of the authorized officer, no person shall enter into or remain in a nature reserve in which a sign prohibiting or restricting public access is displayed pursuant to section 3A, otherwise than in compliance with the indication in that sign.

Amended by [Act No. 1 of 1986]; [Act No. 7 of 2003]

15. Penalties

(1) Any person who commits an offence for which no penalty is otherwise expressly provided shall, on conviction, be liable to a fine not exceeding 5,000 rupees and to imprisonment for a term not exceeding 24 months.

(2) The court before which a person is convicted of an offence shall, in addition to any penalty imposed –

(a) order the forfeiture to the Government of –

(i) any article or thing used in connection with the commission of the offence; and

(ii) any forest produce which is the object of the offence;

(b) order the offender to pay 5 times the value of the forest produce in respect of which the offence was committed, or such sum as it thinks fit for the repair of, or as compensation, for damage or loss caused by the commission of the offence;

(c) in the case of a conviction under section 14 (1) and (2) (a) and (b) order the offender to remove, within such time as may be specified by the court-

(i) the plant cultivated or structure built on the mountain or river reserve;

(ii) the article, thing or rubbish introduced, deposited or thrown on the State land or reserve.

(3) Any animal, article or thing or forest produce forfeited under this Act shall be disposed of in such manner as the authorized officer thinks fit.

(4) Any person who fails to comply with an order made under subsection (2) shall commit an offence and shall, on conviction, be liable to a fine not exceeding 5,000 rupees and to imprisonment for a term not exceeding 2 years.

(5) The court before which a person is convicted of an offence under subsection (4) may, in addition to any penalty imposed, authorize the authorized officer to remove the plant, structure, article, thing or rubbish at the expense of the offender.

Amended by [Act No. 1 of 1986]; [Act No. 48 of 1991]
16. Jurisdiction

Notwithstanding –

(a) section 114 of the Courts Act; and

(b) section 72 of the District and Intermediate Courts (Criminal Jurisdiction) Act,

a Magistrate shall have jurisdiction to try an offence under this Act and may impose any penalty provided by this Act.

17. Regulations

(1) The Minister may make such regulations as he thinks fit for the purposes of this Act.

(2) Any regulation made under subsection (1) may provide for –

(3) the taking of fees;

(4) the amendment of Schedules.

18. Repeal

The following enactments are repealed –

(a) the Forests and Mountain and River Reserves Act;

(5) the Woods and Forests Act;

(6) the Rodrigues Bois Noir Timber Regulations 1939;

(7) the Rodrigues Forests Regulations 1882.

19. Transitional provision

Where, at the commencement of this Act, any land already under the cultivation of sugarcanes becomes part of a mountain or river reserves, the Minister may direct that the owner or occupier of the land may, notwithstanding this Act, continue to cultivate the sugar-cane for a period not exceeding 3 years.

20. Commencement

Proclaimed by [Proclamation No. 4 of 1984] w.e.f. 1st May 1984

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FIRST SCHEDULE
(section 2)

MOUNTAIN RANGES
1. Port Louis and Calebasses Ranges

These ranges lie in the districts of Port Louis, Moka, Pamplemousses and Flacq and form boundary lines for these districts.

The peaks in these ranges are Mount Ory, Pouce, Pieter Both, Deux Mamelles, de la Découverte and Motte à Thérèse.

The spurs in these ranges are Pailles, Signal, Citadel, Prêtres, Longue, Bonamour and Nicoliere.

These ranges shall be deemed to include the mountains Rempart and Pavillon.

The base line of these ranges shall -

(a) in the district of Port Louis, be a horizontal contour line 45.72 metres above mean sea level;

(b) in the other districts, follow the following roads; the Trunk Road from the point to which it crosses St Louis stream to its junction with the Port Louis to Moka and Grand River South East Road at Mount Ory, then along this road to its junction with the Bois Chéri Road, then along this road to its junction with the Rivière Baptiste Road; along this road to its junction with the Crève Coeur Road near Napoleon Bridge; then along Crève Coeur Road to its junction with the Victoria Road; then along this road to its junction with the Old Calebasses Road; then along the Old Calebasses Road to its junction with the Higginson Road; then along Higginson and Brise Verdière roads to their junction with the Port Louis - Central Flacq Road; then along that road towards Ville bague and following Old Villebague Road to the Pamplemousses Road; then along the Pamplemousses Road to Bazire Bridge on the boundary of the district of Port Louis.

2. Mont Piton

3. Montagne Fayence

4. Montagne Blanche

5. Petit Malabar

6. Grand Malabar

7. Corps de Garde

8. Candos Hill

The base line for the mountain ranges numbered 2 to 8 shall be in each case the nearest surrounding public roads.

9. Rempart
The base line for this range shall follow Rivière Papayes till its junction with Rivière du Rempart; thence following Rivière du Rempart till it meets the Black River Road; then along the Black River Road till this road meets the Tamarin River; thence up the Tamarin River to its source.

10. Tamarind and Terre Rouge Ranges

On the sea the base line shall be the Coast Road, commencing at the Tamarind River and ending at Grande Rivière Noire; thence up Grande Rivière Noire to its source on the South side; and up to Tamarin River and its source on the North side. On the East side the base line shall be the public road between Henrietta mill and Tamarind Falls mill.

11. Rivière Noire and Morne Brabant Ranges

The peaks in these ranges are Morne Sec, Rivière Noire, Laporte, Canot and De Fouge.

On the sea side the base line shall follow a horizontal contour line 45.72 metres above mean sea level, from its intersection with the Grande Rivière Noire in the North, in a southerly direction till its intersection with the Baie du Cap River; it shall follow up the main stream of Baie du Cap River above the point where the river is called Baie du Cap; it shall follow the course of the main tributary passing through Chamarel Estate; the remaining base line shall be Grande Rivière Noire and its tributary the Grande Gorges stream.

12. Savanne Range

On the sea side the base line shall follow a horizontal contour line 182.88 metres above mean sea level. After this line running East cuts the course of Savanne River, the base line turning inland shall follow the course of the main stream of this river up to its source. When the horizontal contour line of 152.40 metres running West along the Coast cuts the course of Baie du Cap River it shall turn up that river and follow its course in the same manner as that specified for the Rivière Noire Range.

13. Perruche

The base line shall be a horizontal contour line of the same altitude as the water level of the Mare aux Vacoas.

14. Bambous and Créole Ranges

The peaks of these ranges are Hollandais, Négresse, Bambous and Grand River South East. The spurs of these ranges are Old Grand Port, Lion and du Diable.

On the sea side between the rivers Créoles and Grand River South East the base line shall be a horizontal contour line 182.88 metres above mean sea level. Thereafter it shall follow the course of the streams of these two rivers.

The reserve line for these ranges shall in no case, however, have a less altitude than 365.76 metres above mean sea level.

15. Lagrave and Chevillard or d'Auvillard Ranges
The peaks of these ranges are La grave, La Selle and Table à Perrot.

The base line for these ranges shall be on the Southern side, the Rivière des Créoles and its tributary Eau Bleue to its source and on the Northern side Grand River South East along its course up to its source.

16. Montagne Chaumont

The base line shall be the Plaines Wilhems Road at the thirteenth milestone.

17. Montagne Pauline

This mountain is situated in the District of Grand Port near former Cluny Railway Station.

The base line shall be the River Beemanique on the West and South sides, and the River Eau Bleue on the East and North sides.

18. Montagne Dalais

This mountain is situated in the District of Grand Port in the Cent Gaulettes valley.

The base line shall be the River Eau Bleue and the Rivière des Créoles.

19. Montagne Maurice

This mountain is situated in the District of Flacq. The Grand River South East separates it from Bambou Mountain range.

The base line shall be on the South, Grand River South East and on the West, North and East the nearest public road.

20. Mountain Vernon

This mountain is situated in the District of Grand Port.

The base line shall be on the West and South the River Beemanique, on the East and North the nearest public road.

The altitude of the base line for all mountain ranges shall in no case be less than 45.72 metres above mean sea level.

SECOND SCHEDULE
(section 2)

NATURE RESERVES

1. Perrier (1.50 ha) - State Forest Block No. 52 bounded as follows -

Towards the East by a-line on 137.46 metres between stones NR 1 and NR 2.
Towards the South by another line on 36.27 metres starting from stone NR 2 to stone NR 3.

Towards the West by Rivulet Cogliano to stone NR 4.

Towards the North by a road from Chemin Maingo to State land de Rauville on 160.63 metres from stone NR 4 to Stone NR 1.

2. Repealed

3. Corps de Garde (90.33 ha) - State Forest Block No. 211 bounded as follows -
Towards the North and East by the crest of the mountain.
Towards the South by the crest of the mountain.
Towards the West by Canal La Ferme and by State Land La Ferme on a line broken into 14 parts measuring respectively from the Canal 60.96 metres to stone MRL 4, 320.95 metres to stone MRL 5, 189.89 metres to stone MRL 6, 139.60 metres to stone MRL 7. 173.43 metres to stone MRL 8, 171.90 metres to stone MRL 9, 408.12 metres to stone MRL 10, 172.51 metres to stone MRL 11, 196.90 metres to stone MRL 12, 209.70 metres to stone MRL 13, 240.18 metres to stone MRL 14, 164.89 metres to stone MRL 15,232.25 metres to stone MRL 16 and 380.99 metres to stone MRL 17.

4. Pouce (68.80 ha.) - State Forest Block No. 1555 bounded as follows –
Towards the North by a mountain spur.
Towards the East by the crest of the Pouce Mountain.
Towards the South by another mountain spur.
Towards the West by a line measuring about 1447.77 metres from one spur to the other.

5. Cabinet (17.73 ha.) - State Forest Block No. 60 bounded as follows -
Towards the East by Le Cabinet belonging to the Central Electricity Board on a line broken into two parts measuring respectively 457.19 metres and 480.36 metres.
Towards the South by land of the Central Electricity Board on a line broken into four parts measuring respectively 96.01 metres, 129.84 metres, 120.40 metres and 71.93 metres.
Towards the North and West by State Land and lands belonging to the Central Electricity Board on a line broken into three parts measuring respectively 49.07 metres, 760.15 metres and 350.51 metres.

6. Repealed

7. Les Mares (5.10 ha) - (Part of State Land Les Mares and part of State Land Gouly Père) bounded as follows -
Towards the North - by the surplus of State Lands “Les Mares” and “Gouly Père”, a forest road between, on a developed length of one thousand and seventy two feet or 326.7 metres.

Towards the East - by the surplus of State Land “Gouly Père” on a straight line measuring four hundred and ten feet or 124.9 metres.

Towards the South - again by the surplus of State Lands 'Les Mares” and “Gouly Père” on a straight line measuring seven hundred and sixty seven feet or 233.7 metres and

Towards the West - by the surplus of State Land “Les Mares” on a line broken into three parts measuring respectively three hundred and sixty eight feet or 112.1 metres, eighty eight feet or 26.8 metres and three hundred and fifty five feet or 108.2 metres.

8. Gouly Pire (10.9S ha) - (Part of State Land Gouly Père and part of State Land Declerc) bounded as follows -

Towards the North - by the surplus of State Land “Gouly Père”, a forest road between, on a developed length of one thousand three hundred and eighty one feet or 420.9 metres.

Towards the East - again by the surplus of State Lands “Gouly Père” and “Declerc”, a forest road between, on a developed length of six hundred and eighty nine feet or 210.0 metres.

Towards the South - by the sinuosities of a water course (an affluent of Rivulet des Chevrettes) and

Towards the West - by part of the boundary line separating State Land “Declerc” from State Land “Gouly Père” on a length of ninety five feet or 28.9 metres and also on a straight line measuring six hundred and seventy six feet or 206.0 metres.

9. Bois Sec (5.91 ha) bounded as follows -

Towards the North - from a point situated at the intersection of the ridge of Bois Sec Mountain and the straight line joining stones WF 50 and WF 51 along the ridge of Bois Sec Mountain on a developed length of 600.45 metres to a stone marked MRL.

Towards the East - by a straight line measuring 168 feet or 51.21 metres.

Towards the South - by seven straight lines measuring respectively 60.04 metres, 84.43 metres, 174.04 metres, 53.03 metres, 81.69 metres, 122.53 metres and 48.16 metres.

Towards the West - by a straight line measuring 60.96 metres.

10. Ile Ronde

11. Ilot Gabriel

12. Ile Plate
13. Coin de Mire
14. Ilot Marianne
15. Ile aux Aigrettes
16. Ile aux Cocos
17. Ile aux Sables
18. Ile aux serpents
19. Anse Quitor-Rodrigues (10-34ha) bounded as follows-

Starting on a line parallel to threshold 31 of the Corail Airport and which runs along a bearing of 23100' on ninety two metres and ninety seven centimetres (92.97 m); thence along a line of bearing 33300' on two hundred and sixty four metres and eighty seven centimetres (264.87 m); thence along a line of bearing 77030' on ninety four metres and sixty four centimetres (94.64 m); thence along a line of bearing 14400' on two hundred and thirty nine metres and eighty eight centimetres (239.87 m); thence along a line of bearing 18900' on one hundred and ninety eight metres and twelve centimetres (1 98.12 m); thence along a line of bearing 160030' on one hundred and seventy three metres and forty three centimetres (173.43 m); thence along a line of bearing 1690130' on eighty eight metres and twenty four centimetres (88.24 m); thence along a line of bearing 162030' on forty nine metres and sixty eight centimetres (49.68 m); thence along a line of bearing 13000' on two hundred and twenty five metres and fifty five centimetres (225.55 m); thence along a line of bearing 22400' on eighty metres and thirty nine centimetres (80.39 m); thence along a line of bearing 283030' on ninety two metres and ninety seven centimetres (92.97 m); thence along a line of bearing 32100' on one hundred and ninety eight metres and seventy three centimetres (1 98.73 m); thence along a line of bearing 343130' on hundred and thirty six metres and fifty five centimetres (136.55 m); thence along a line of bearing 32000' on fifty one metres and five centimetres (51.05 m); thence along a line of bearing 33500' on forty eight metres and forty six centimetres (48.46 m); thence along a line of bearing 326030' on ninety six metres and eight five centimetres (96.85 m); and thence along a line of bearing 34400' on eighty one metres and ninety nine centimetres (81.99 m).

20. Grande Montagne-Rodrigues (13.76ha) bounded as follows-

Towards the North partly by the main road on ninety seven metres and partly by a strip of State Land separating it from the main road on seven lines (being Mountain Reserves lines) measuring respectively 65.83 metres, 70.71 metres, 94.48 metres, 81.68 metres, 72.23 metres, 67.05 metres and 83.21 metres.

Towards the East by three Mountain Reserve Lines on 2@4.69 metres, 182.88 metres and 99.06 metres.

Towards the South by surplus of State Land Grande Montagne on five lines measuring respectively 127.86 metres, 181.35 metres, 160.09 metres, 64.92 metres and 74.52 metres.
And towards the West partly by the main road on 64 metres and partly by a strip of built up Crown Land separating it from the main road on four lines measuring respectively 34.21 metres, 22.55 metres, 19.20 metres and 13.71 metres.

Amended by [Act No. 48 of 1991]; [GN No. 2 of 1987]; [GN No. 106 of 1994]

THIRD SCHEDULE
(section 2)

PROTECTED PLANTS

1. All indigenous orchids (Orchidées)
2. Ochna mauritiana (Bouquet banané)
3. Hornea mauritiana (Arbre A L'Huile)
4. All Diospyros species (Ebène)
5. Sideroxylon grandiflorum
6. Cordyline mauritiana
7. All Tambourissa species (Bois tambour)
8. All Trochetia species (Boucles d'Oreilles)
9. Erythroxylon laurifolium (Bois de ronde)
10. All indigenous ferns (Fougères)

FOURTH SCHEDULE (section 2)

RIVERS AND RIVULETS

Plaines Wilhems

<table>
<thead>
<tr>
<th>Rivers</th>
<th>Rivulets</th>
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<tbody>
<tr>
<td>Grand River N.W. Terre Rouge;</td>
<td>Isnard; Quirin</td>
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<tr>
<td>Couacaud</td>
<td></td>
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<tr>
<td>Des Plaines Wilhems; (below the</td>
<td></td>
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<tr>
<td>bridge)</td>
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</tbody>
</table>
at Highlands SE);
Du Mesnil (below Abbé de la Caille Street) Ducray (from boundary of Highlands and Trianon).
Du Mesnil (below junction of Feeder du Mesnil I and II; Pasquet).

Sèche (below junction of Rivulet Poule d'Eau) Sèche (below State Land Joachim) Gros Cerf
Poule d'Eau, Lamy

Du Rempart (below junction of River Cogliano) Perichon
Papayes (below junction of Feeder Good End Sèche (du Rempart)
Cogliano Grand Tatamaka; Petit Tatamaka
.................................
St Martin
Tamarin St Martin
Bambous ......................... Séligné; Cap Martin
Des Aigrettes ............... Rouge; Pavé

Eau Bleue (8 metres reserves in underground course on Eau Bleue and Cluny Estates)

Rivière du Poste (Savanne) ........ R Casse Couteaux
Rivière Citron
Bois Martin (down the bridge at Highlands SE)

Amended by [Act No. 48 of 1991]

PAMPLEMOUSSES AND RIVERE DU REMPART

Labourdonnaiss (below junction Rivulet Crève Coeur; Rivalland;
Ripailles, Ripailles);

Des Calebasses Labourdonnaiss
Rose (below junction Rivulet Duhamel) Boulingrin
Duhamel (below junction Feeder Les Mariannes)
Rose Villebague; Bocquée (below Feeder junction Hawoldar) Congomat (below junction Feeder Champion)
Pamplemousses Citron (from Reilly Dyke to
Pamplemousses Arsenal bridge); Constance;
Praslin; California;
Nicolière
Jamblon; Chevrettes
(Coquinbourg);
Chevrettes (Mon Songe)

Eau Blanche
Figet .........................
Figet (between the two
dykes of Ile d'Ambre)

**FLACQ**

Coignard, Du Poste de Flacq .......... R Cere (has 8 metres reserves From Bassin Lou-Loup (Union Regnard) to upper boundary of Bonne Mère Estate)

St Louis; Pondard (From source to the crossing of its water course by the La Nicolillière Feeder channel La Pluie; Thorel junction of Feeder Marianina)

Françoise (below Cascade Praude) Bon Espoir (below Tramway Bridge on Belle Vue Estate); Grande Barbe; Pont Blanc or Beau Bois; Françoise (below Terre Coupde Bridge)

Sèche of Flacq

Grand River South East Profond;

St Louis

Profonde (below Cascade Boeufs on Etoile Camaron (below Dyke); La Louise Dela Hogue (below Estate Cascade); Profonde (from Source at Petits Paquets to Cascade Boeufs) Chevrettes (on Olivia Estate)

St Martin

Rivière du Rempart ......... R Jamblong

Rivière du Bois ............... R La Digue

R Eau Rouge

R Pastourel

R Bois de Natte

Rivière Boucan or Françoise ....... R Maurice (below Feeder l'Hopital)

**MOKA**

Du Boucan or Françoise (below Cascade on Maurice(below junction Feeder l'Hopital)

Melrose Estate) Françoise (above Clément; St Martin(five metres Cascade on Colin Property);

Jacquart Melrose Estate) (five metres on Colin Property)

Blanc (on Sans Souci Estate);

Vacoas (on Sans Souci Estate) ........... Bois Clair (below Tramway Bridge);

Du Rempart; Chevrettes; Pharla............. Camarons
Du Bois (on Sans Souci Estate) ...... Pastourel; l'Eau Rouge; La Digue; Train (Midland) Cimetière (below Feeder Tarnousky) Longouze Bois de Natte; Marron Midlands; Citron Midlands Pothier
Betty (below junction R Mare Brune) Ravanal Dimanche, Mare Hildwert, Mare Brune; Cascade (below junction of F Dénudé) (Midlands Estate)
Doudy at Midlands (below junction of Rivulet Doudy) Doudy (above junction Planche); Mandaing
Planche) Francisque; Twinam (flowing in State Land); Plateau (flowing in State Land)
Grand River South East ............... R St Louis (below bridge on Moka Road) R Pitot Pondard (from source to Goorah's property)
Grand River North West (Moka Balmano) Chaillet; Agrément Balmano; Baptiste (junction F Charlot) Ripailles; Cresson (below Crève Coeur road)
Grand River North West (from junction Terre Profonde (above Alma Reservoir) Rouge and Plaines Wilhems) Profonde (below Alma Reservoir)
Grand River North West, Terre Rouge Cascade ....................... Canet (below Mon Désert Reservoir); Dickson; Mare Bouillie (junction F Desvaux); Font Bon Dieu (below Valetta Road)
Tamataka (below junction Rivulet Tatamaka; Magrapoule, Magando; Simathe (below Magrapoule) Magrapoule, Magando; Simathe (below junction F Assurance)
Aubert (junction F Charly) ............ Aubert
Terre Rouge ......................... François (below junction F Pendu) Terre Rouge
Monplé (junction R Monple) ........... Edgar (junction F Jumelle); Monplé; Hermitage.
Monplé; Terre Rouge

Amended by [Act No. 48 of 1991]

GRAND PORT

Bambous
Anse Jonchée

Nyon (on Ferney Estate) ............... Grand Fond
River Champagne, (Le Vallon Estate, Grand Malgache; Thérèse (junction F La Hache); Port Terre Rouge; Grosses Feuilles or Dubois. Des Délices. Tranquille (below Mare Chicose Bridge); Michel (junction F Sans Souci); Dalais

River des Créoles .................. At Cent Gaulettes |Cochon
F |
|Séjourné}
|Baptiste|
|(junction
F |
|Michel)

Gros Ruisseau (St Hubert Rivulet) Clair; Hareeman. Betty (St Hubert)
River des Créoles (up to junction Grande Lovard (junction F Victor Bergicourt; Cressonnière thence River Eau Bleue) Tombeau Gabriel |Perrot on le Val Estate |G Duval Cent Caulettes |Phaeton Grande Cressonnière |Petite

Cressonnière,
Eau Bleue (16 metres reserves from source;8 Osterlog; McGregor (below Junction of F Boullé);
Sénèque

metres for underground course Eau Bleue (Gluny Estate)
River La Chaux ...................... Copeaux; Beau Désert Bee Varangue ............... Cascade Bee Manique ...................... St Martin (below junction F du Rempart;
Claire de la Pompe |Mapou junction (below junction F (F Shunting) Marron) Terre Glaise (below junction Eau Bleue); Gros Ruisseau

Tabac (below main road of Escalier Village)Tabac Du Poste (de la Savanne),- Citron (Grand Port) France Panier; Daniel; Victoire; Morel. Casse Couteaux (on Nouvelle Estate) Canonade Theriau; Latour; Matangue (Savanne)

SAVANNE

St Amand (below main road to Savannah, St Amand Dragon (below junction Feeder Champac) Dragon Dragon (below junction F Champac Grand Savanne) Sevelit; Bon Accueil (junction F Arnousse) River des Anguilles Songe (junction Rt Dupont); Bohler (junction F St Leger); Bour; Peller ingin (junction F Renaud)
Pipe ............................. De Gaye (junction F l'Hopital);
Pipe (junction F Nadal)

Gros Ruisseau (junction Feeder Augustin)  Parc; Marron; Gros Ruisseau; Beau
Bois (below junction F
Enterrement)

Bain des Négesses (Grande Savanne)  Bain des Négesses (Source to
Terre Coupée) Combo

River de la Savanne; Des Chevrettes, Patates  Palmiste
Palmiste (below junction F Hillcock)  Hippolyte; Songe Blanc
(below
junction F Beewa); Faduilhe
(below
junction F Fontaine)

River des Gallets, Fayd'herbe (below junction  Michel (below Calimaye)
Rivulet Jacquot)

La Forêt (below junction F L'Esport); Mme  La Forêt (below junction F
Alexandre
(below junction F Vanille)
Bell
Antoine
(below junction Tendrac) Ruche,

Jacotet (below junction River Chérie)

Chérie ............................  Chevalier

Jacotet (above junction R Chérie);

Citronnier (below junction of F Chapeau)  Citronniers
(below
of F
L'Etang); Des Créoles

(below
junction Bois Carré);

Ignace

Rivière du Poste (Savanne) ............  R Painer

R Daniel

R Victoria

R Casse Couteaux

R Mingué

R Canal

Rivière Baie du Cap ..............
Rivière Canal (below feeder junction Mapou)

Rivière St Denis (below junction Rivière Pont

Cassé

R Catherine

R Ponte Cassé

R St Denis

BLACK RIVER

Lavilléon (below F
Anguilles)

River St Denis (below junction Rivulet Pont

Caverne

Carré

Junction F Ruche  Tabac

(below
F
Mouna)
Mouna)

Viande Salée (below junction Rivulet Vally)

Perline

Cacheté (below junction
Vally (below Junction

Avoine);

)Plain; Verte St Felix

Viande Salée
St Denis (below junction Pont Cassé) Nourrice (below junction F Darrick); Pêche (below junction F Natte); Vanille (below junction Vanillon)

Nourrice (below junction Rivulet Pêche) St Patrice
Petite Rivière Noire (below Cascade Minguel)

Grande Rivière Noire .......
Petites Gorges (below Bassin Déjeuner)

Tamarin ......................... Boucan (from a point 600 metres below la Coupée Main Road

Des Gallets
Dragon ......................... Rivulet Ignace
Sèche

Belle Isle ....................... Eau Bonne; Vaudagne

Belle Eau ....................... Cabots

PORT LOUIS

Grand River North West .......
St Louis; Pitot
Latanier (Vallée des Prêtres)
Terre Rouge

“Pouce Stream” .. Tranquebar
(Exclusive of canalised part)

RODRIGUES

Rivière Camp du Roi
Rivière Cascade Pigeon
Rivière Barnbous
Rivière Anse aux Anglais
Rivière Grand Baie
Rivière Banane
Rivière Graviers
Rivière Cascade Graviers
Rivière Mourouk
Rivière Cascade Victoire
Rivière Baleine
Rivière du Sel
Rivière Anse Raffin
Rivière Anse Tamarin
Rivière Cocos
Rivière Aride
Rivière Grand Var
Rivière Anse Quitor
Rivière Pistache
Rivière Baie du Nord
Rivière Malgache
Rivière Baie aux Huitres
Rivière Accacia
Rivière Grenade
Rivière Anse Ally
Rivière St. François
Rivière Baie Topaze
Rivière Bassin Canne
Amended by GN No. 73 of 1993