

**FORESTS AND RESERVES ACT**

Act 41 of 1983 – 1 May 1984

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**FORESTS AND RESERVES ACT**

**1. Short title**

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

**2. Interpretation**

(1) In this Act—

“authorised 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 responsible for the subject of lands;

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

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

“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 authorised in writing by the authorised 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 and National Parks 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; and
- (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 responsible for the subject of agriculture;

“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 16 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 land” 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.

(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; and

- (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.

[S. 2 amended by Act 48 of 1991.]

### **3. Nature Reserves Board**

(1) There shall be 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 Chairperson; 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 authorised 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.

[S. 3A inserted by s. 3 of Act 7 of 2003 w.e.f. 24 May 2003.]

### **4. National forest**

(1) The Minister may, by regulations—

- (a) declare any State land which is a forest to be a national forest; and
- (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.

[S. 4 amended by Act 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 3 daily newspapers and for 30 days from the last publication of the notice.

## **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.

[S. 6 amended by Act 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 authorised officer may authorise 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; or
  - (iv) replanting the land.

(2) The authorised officer may impose such conditions on the grant of an authorisation under subsection (1) as he thinks fit—

- (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); or
- (c) concerning the replanting of the land.

(3) The owner of a mountain or river reserve may destroy a *cuscuta* creeper growing on the reserve and may, in the presence and subject to the directions of the authorised 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; or
- (c) unoccupied and the owner cannot be ascertained,

the authorised 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 authorised officer, no person shall destroy a tree on a road reserve.

(2) The authorised 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; or
- (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 authorised 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 Information and Communication Technologies 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.

[S. 11 amended by Act 48 of 1991.]

## **12. Powers of search, seizure and arrest**

(1) Any forest officer or police officer, the Chief Surveyor, the authorised 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 authorised 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; and
- (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 authorised 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 authorised 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.

[S. 12 amended by Act 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 authorised 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.

[S. 13 amended by Act 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 authorised officer;
- (b) cultivate a mountain or river reserve otherwise than in accordance with any directions that may be given by the authorised officer; or
- (c) without the written authority of the authorised officer, build any structure on a mountain or river reserve.



(2) No person shall—

- (a) without the written authority of the authorised officer or, in the case of forest land, the owner—
  - (i) introduce any article or thing injurious to plant life on to State land, forest land 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) depasture any animal or allow any animal to graze on State land, forest land 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; or
  - (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 authorised 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* creepers; 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 authorised 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 regulations made under this Act or any direction given by the authorised officer shall commit an offence.

(5) Except with the authorisation of the authorised 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.

[S. 14 amended by Act 1 of 1986; s. 4 of Act 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 authorised officer thinks fit.

(4) Any person who fails to comply with an order made under subsection (2) (c) 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, authorise the authorised officer to remove the plant, structure, article, thing or rubbish at the expense of the offender.

[S. 15 amended by Act 1 of 1986; Act 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—

- (a) the taking of fees; and
- (b) the amendment of Schedules.

18. – 20. —

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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, Montagne de la Découverte and Motte à Thérèse.

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

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 at 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 Napoléon 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 Brisée Verdière roads to their junction with the Port Louis - Central Flacq Road; then along

that road towards Villebague 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 Tamarin River; thence up 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 Fougé.

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, 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 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 2 rivers.

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

**15. Lagrave and Chevillard or d'Auvillard Ranges**

The peaks of these ranges are Lagrave, 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 River Beemanique on the west and south sides, and 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 River Eau Bleue and Rivière des Créoles.

**19. Montagne Maurice**

This mountain is situated in the District of Flacq. 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 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 lower 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. —**
- 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 2 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 4 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 3 parts measuring respectively 49.07 metres, 760.15 metres and 350.51 metres.
- 6. —**

**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 1072 feet or 326.7 metres.

Towards the east – by the surplus of State Land “Gouly Père” on a straight line measuring 410 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 767 feet or 233.7 metres, and

Towards the west – by the surplus of State Land “Les Mares” on a line broken into 3 parts measuring respectively 368 feet or 112.1 metres, 88 feet or 26.8 metres and 355 feet or 108.2 metres.

**8. Gouly Père (10.95 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 1381 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 689 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 95 feet or 28.9 metres and also on a straight line measuring 676 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 7 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 Quito** – Rodrigues (10.34 ha) bounded as follows—

Starting on a line parallel to threshold 31 of the Corail Airport and which runs along a bearing of 23°00' on 92 metres and 97 centimetres (92.97 m); thence along a line of bearing 333°00' on 264 metres and 87 centimetres (264.87 m); thence along a line of bearing 77°30' on 94 metres and 64 centimetres (94.64 m); thence along a line of bearing 144°00' on 239 metres and 58 centimetres (239.58 m); thence along a line of bearing 189°00' on 198 metres and 12 centimetres (198.12 m); thence along a line of bearing 160°30' 173 metres and 43 centimetres (173.43 m); thence along a line of bearing 169°30' on 88 metres and 24 centimetres (88.24 m); thence along a line of bearing 162°30' on 49 metres and 68 centimetres (49.68 m); thence along a line of bearing 130°00' on 225 metres and 55 centimetres (225.55 m); thence along a line of bearing 224°00' on 80 metres and 39 centimetres (80.39 m); thence along a line of bearing 283°30' on 92 metres and 97 centimetres (92.97 m); thence along a line of bearing 321°00' on 198 metres and 73 centimetres (198.73 m); thence along a line of bearing 343°30' on 136 metres and 55 centimetres (136.55 m); thence along a line of bearing 32°00' on 51 metres and 5 centimetres (51.05 m); thence along a line of bearing 335°00' on 48 metres and 46 centimetres (48.46 m); thence along a line of bearing 326°30' on 96 metres and 85 centimetres (96.85 m); and thence along a line of bearing 344°00' on 81 metres and 99 centimetres (81.99 m).

**20. Grande Montagne** – Rodrigues (13.76 ha) bounded as follows—

Towards the north party by the main road on 97.53 metres and partly by a strip of State Land separating it from the main road on 7 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 234.69 metres, 182.88 metres and 99.06 metres.

Towards the south by surplus of State Land Grande Montagne on 5 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.

[Second Sch. amended by Act 48 of 1991; GN 2 of 1987; GN 106 of 1994.]

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**THIRD SCHEDULE**

[Section 2]

**PROTECTED PLANTS**

1. All indigenous orchids (*Orchidées*).
2. *Ochna mauritiana* (*Bouquet banané*).
3. *Hornea mauritiana* (*Arbre à l'Huile*).
4. All *Diospyros* species (*Ebène*).



**THIRD SCHEDULE—continued**

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).

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**FOURTH SCHEDULE**

[Section 2]

**RIVERS AND RIVULETS**

**PLAINES WILHEMS**

<b>Rivers</b>	<b>Rivulets</b>
Grand River N.W. Terre Rouge; Coua- caud .....	Isnard; Quirin
Des Plaines Wilhelms; (below the bridge at Highlands S.E.);	
Du Mesnil (below Abbé, de la Caille Street)	Ducray (from boundary of Highlands and Trianon). Du Mesnil (below junction of Feeders du Mesnil I and II; Pasquet)
Seche (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)	
Papayes (below junction of Feeder Good End) .....	Perichon
Cogliano .....	Sèche (du Rempart) Grand Tatamaka; Petit Tatamaka St Martin
Tamarin .....	Séigné; Cap Martin
Bambous .....	Rouge; Pavé
Des Aigrettes .....	Legoff; Augustin; Gros Piquet; Bigaignon Cresson
Eau Bleue (8 metres reserves in un- derground course on Eau Bleue and Cluny Estates)	Osterlog; McGregor (below junction of Feeder Boule) Sènèque

**FOURTH SCHEDULE—continued**

**Rivers**

**Rivulets**

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

**PAMPLEMOUSSES AND RIVIÈRE DU REMPART**

Labourdonnais (below junction Ripailles) Des Calebasses Rose (below junction Duhamel)  Pamplemousses or Citrons (from Arsenal Bridge to the sea)  Du Rempart .....  Eau Blanche Figet .....	Crève Coeur; Rivalland; Ripailles, Ripailles);  Boulingrin Duhamel (below junction Feeder Les Mariannes) Rose Villebague; Bocquée (below Feeder junction Hawoldar) Congomat (below junction Feeder Champion) Citron (from Reilly Dyke to Arsenal bridge); Constance; Pamplemousses Constance; Pamplemousses Praslin; California; Nicolière Jamblon; Chevrettes (Coquinbourg); Chevrettes (Mon Songe)  Figet (between the two dykes of Ile d'Ambre)
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**FLACQ**

Coignard, Du Poste de Flacq  Françoise (below Cascade Praude)  Grand River South East .....	R Céré (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 Nicolière Feeder channel La Pluie; Thorel (junction of Feeder Marianina) Bon Espoir (below Tramway bridge on Belle Vue Estate); Grande Barbe; Pont Blanc or Beau Bois; Françoise (below Terre Coupée Bridge) Sèche of Flacq Profonde; St Louis
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**FOURTH SCHEDULE—continued**

<b>Rivers</b>	<b>Rivulets</b>
Profonde (below Cascade Boeufs on Etoile)	Camaron (below Dyke); La Louise De la Hogue (below Estate Cascade); Profonde (from Source at Petits Paquets to Cascade Boeufs). Chevrettes (on Olivia Estate) St Martin Terre Rouge; Grand Fond
Rivière du Rempart .....	R Jamblong
Rivière du Bois .....	R La Digue R Eau Rouge R Pastourel R Bois de Natte
Rivière Boucan or Française .....	R Maurice (below Feeder l’Hopital)

**MOKA**

Du Boucan or Française (below Cascade on Melrose Estate)	Maurice (below junction Feeder l’Hopital) Clément; St Martin (five Françoise } (above } Cascade } on Melrose } Estate). } Clement; St. Martin (five metres on Colin prop- erty); Jacquart (five me- tres on Colin property).
Vacoas (on Sans Souci Estate) .....	Blanc (on Sans Souci Estate); Bois Clair (below Tramway Bridge); Camaron
Du Rempart; Chevrettes; Pharla .....	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 Planche) Francisque; Twinam (flowing in State Land); Plateau (flowing in State Land)	Doudy (above junction Planche); Mandaing
Grand River South East .....	R St Louis (below bridge on Moka Road) R Pitot Pondard (from source to Goorah’s property)

**FOURTH SCHEDULE—continued**

<b>Rivers</b>	<b>Rivulets</b>
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 Rouge and Plaines Wilhelms)	Profonde (above Alma Reservoir)
Profonde (below Alma Reservoir)	
Grand River North West, Terre Rouge	
Cascade .....	Canet (below Mon Désert Reservoir); Dickson; Mare Bouillie (junction F Desvaux); Pont Bon Dieu (below Valetta Road)
Tatamaka (below junction Rivulet Tamamaka; Magrapoule)	Magrapoule, Magando; Simathe (below junction F Assurance)
Aubert (junction F Charly) .....	Aubert
Terre Rouge .....	François (below junction F Pendu)
Monplé (junction R Monple) .....	Edgar (junction F Jumelle); Monplé; Hermitage. La Scierie (on Belle Rive Estate, Moka)

**GRAND PORT**

	Bambous	
	Anse Jonchée	
Nyon (on Ferney Estate) .....	Grand Fond	
River Champagne, (Le Vallon Estate, Grand	Malgache; Therèse (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 (junction F. Séjourné) Baptiste (junction F. Michel)
Gros Ruisseau (St Hubert Rivulet)	Clair; Hareeman. Betty (St Hubert)	
River des Créoles (up to Junction Grande Cressonnière	Lovard (junction F Victor) Bergicourt;	
thence River Eau Bleue)	Tombeau Gabriel on le Val Estate (Cent Caulettes) Grande Cressonnière	} Perrot G. Duval Phaeton Petite Cressonnière, Jupiter

**FOURTH SCHEDULE—continued**

<b>Rivers</b>	<b>Rivulets</b>
Eau Bleue (16 metres reserves from source); 8 metres for underground course Eau Bleue (Gluny Estate)	Osterlog; McGregor (below junction of F. Boulle); Sènèque
River La Chaux .....	Copeaux; Beau Désert
Bee Varangue .....	Cascade
Bee Manique .....	St Martin (below junction F. du Rempart); Clair de la Pompe } (below junction F. Marron) } Mapou (junction F. Shunting)
	Terre Glaise (below junction Eau Bleau); Gros Ruisseau
Tabac (below main road of Escalier Village)	Tabac
Du Poste (de la Savanne); Citron (Grand Port)	Panier; Daniel; Victoire; Morel  Casse Couteaux (on Nouvelle France Estate) Canonade  Theriau; Latour; Matangue (Savanne)

**SAVANNE**

St Amand (below main road to Savannah, Dragon (below junction Feeder Champac)	St Amand Dragon
Dragon (below junction F. Champac Grand Savanne)	Sevelit; Bon Accueil (junction F. Arnousse)
River des Anguilles .....	Songe (junction Rt. Dupont);
Songe (junction Rt. Bour) .....	Bohler (junction F. St Leger); Bour; Pellerin (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 Nègresses (Grande Savanne)	Bain des Nègresses (Source to Terre Coupée) Combo
River de la Savanne; Des Chevettes; Patates	Palmiste
Palmiste (below junction F. Hillcock)	Hippolyte; Songe Blanc (below junction F. Beewa); Faduilhe (below junction F. Fontaine)  Michel (below Calimaye)

**FOURTH SCHEDULE—continued**

<b>Rivers</b>	<b>Rivulets</b>
River des Gallets, Fayd'herbe (below junction Rivulet Jacquot)	Fayd'herbe; Jacquot
La Forêt (below junction F. L'Esport); Mme Bell	La Forêt (below junction F. Verdale) Alexandre (below junction F. Vanille) Antoine (below junction Tendrac) Ruche, Ste Marie (below junction Caza)
Jacotet (below junction River Chérie)	Jacotet (above junction R. Chérie); Jacobie
Chérie .....	Chevalier
Citronnier (below junction of F. Chapeau)	Citronniers
	Poulailler (below junction of F. L'Etang); Des Créoles (below junction Bois Carr); Ignace
Rivière du Poste (Savanne) .....	R. Painer R. Daniel R. Victoria R. Casse Couteaux
Rivière Baie du Cap .....	R. Minguel
Rivière Canal (below feeder junction Mapou)	R Canal
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 Carré)	Lousteau (below junction F. Ruche) Caverne Tabac (below junction F Mouna)
Viande Salée (below junction Rivulet Vally)	Cachette (below junction Perline); Vally (below junction Avoine); Viande Salée
	} Plaine; } Verte } St Felix
St. Denis (below junction Pont Cassé)	Nourrice (below junction F. Darrick); Pèche (below junction F. Natte); Vanille (below junction Vanillon)
Nourrice (below junction Rivulet Pèche)	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)

**FOURTH SCHEDULE—continued**

**Rivers**

**Rivulets**

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 Acacia  
Rivière Anse Ally  
Rivière Anse aux Anglais  
Rivière Anse Raffin  
Rivière Anse Tamarin  
Rivière Anse Quitor  
Rivière Aride  
Rivière Baie aux Huitres  
Rivière Baie du Nord  
Rivière Baie Topaze  
Rivière Baleine  
Rivière Bambous  
Rivière Banane  
Rivière Bassin Canne  
Rivière Camp du Roi  
Rivière Cascade Gravier  
Rivière Cascade Pigeon  
Rivière Cascade Victoire  
Rivière Cocos  
Rivière du Sel  
Rivière Grand Baie  
Rivière Gravier  
Rivière Grand Var  
Rivière Grenade

Rivière Malgache

Rivière Mourouk

Rivière Pistache

Rivière St. François

[Fourth Sch. amended by Act 48 of 1991; GN 73 of 1993.]

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