

BERMUDA STATUTORY INSTRUMENT

SR&O 75/1975

**BERMUDA NATIONAL TRUST (OPEN SPACES AND PROPERTY)
REGULATIONS 1975**

*[made under section 11 of the Bermuda National Trust Act 1969 [title 20
item 10] and brought into operation on 23 August 1975]*

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Interpretation

1 In the construction of these Regulations—

"the Trust" means the Bermuda National Trust incorporated by the Bermuda National Trust Act 1969 [*title 20 item 10*];

"Trust Property" means all land and water including foreshores, lakes, ponds, canals and other land covered by water, and buildings for the time being held by the Trust for the benefit of the Nation;

"Trust Buildings" means any building upon Trust Property which is for the time being open to the public whether on payment or not;

"unauthorized person" means any person except—

- (a) any person for the time being duly authorized by the Trust in writing for any purpose in connection with the management, maintenance or regulation of Trust Property;
- (b) a person acting in legal exercise of some right in , over or affecting Trust Property; or
- (c) a person duly authorized by a person entitled so to act as aforesaid;

"Officer of the Trust" means any member of the Council, any member of the Board of Directors or the Bermuda Maritime Museum Association, the Director, Wardens, Curators and Caretakers, and any other category of person as may be designated from time to time.

Soil, vegetation and walls

2 (1) No unauthorized person shall dig, cut or take turf, sods, gravel, sand, stone, clay or any other substance on or from Trust Property.

(2) No unauthorized person shall dig up or remove, cut, fell, pluck or injure any flowers, plants, fungi, moss, ferns, shrubs, trees or other vegetation growing on Trust Property or remove any seeds thereof or injure any grass or climb any tree.

(3) No unauthorized person shall knowingly bring and leave on or in or knowingly permit to be brought onto and left on or in Trust Property any form of living vegetation in such circumstances that the same would be likely to reproduce or propagate itself.

(4) No unauthorized person shall tamper with or damage any drystone or other wall on Trust Property, or remove any stone or other substance making up such a wall.

Fire

3 (1) No unauthorized person shall on Trust Property light any fire or discharge any fire-work.

(2) No person shall on Trust Property place, throw or let fall any lighted match, cigarette or any inflammable gas, spirit, substance or thing, or any bottle or broken glass so as to cause or be likely to cause damage to Trust Property or to any object or vegetation thereon.

Traps, weapons, projectiles and poisons

4 (1) No unauthorized person shall throw or discharge any missile, stone, boomerang, stick or any net or trap to the danger or annoyance of any person or animal on Trust Property.

(2) No unauthorized person shall set out or spray any pesticide, herbicide or poison bait on Trust Property.

Litter and rubbish

5 (1) No unauthorized person shall bring rubbish, scrap, or waste materials onto Trust Property for the purpose of abandoning or disposing of the same whether in the letter bins provided by the National Trust or otherwise.

(2) No person shall leave or abandon on Trust Property except in receptacles provided for the purpose any litter, refuse, waste materials or offensive matter including (but without prejudice to the generality of the foregoing) any metal, rubber, wooden or plastic articles and containers, bottles, paper, glass, china, dead animals, scrap, rubble and road-mending materials.

Malicious damage

6 No person shall deface by writing or other marks any tree or rock on Trust Property or any building or other structure or any fixed or movable equipment set up, placed or maintained by the Trust thereon.

Advertisements

7 No unauthorized person shall post, paint, display or distribute any bill, placard, advertisement or notice on Trust Property.

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Dogs and other animals

8 No unauthorized person shall cause or allow any dog or other animal belonging to him or in his charge—

- (a) to enter any part of Trust Property to which the public are not granted access; or
- (b) to enter any Trust Property to which public access is had by payment unless a notice permitting such entry is exhibited at the entrance, or with the authority of the Trust; or
- (c) to enter or remain on any Trust Property to which entry by the public is allowed unless such dog or other animal is under proper control and is effectively restrained from causing damage to property including plants and from injuring, annoying or disturbing any person, bird, animal or fish.

Protection of animals

9 (1) No unauthorized person shall on Trust Property knowingly take, molest or wilfully disturb, injure, or destroy any living creature or the eggs of any living creature or spread or use any net or set or use any snare or other engine, instrument, lamp, lure or other means for the taking, injury, or destruction of any such living creature or its eggs whether in, on or above Trust Property.

(2) No unauthorized person shall knowingly bring and leave on or in or knowingly permit to be brought onto and left on or in Trust Property any living creature in such circumstances that the same would be likely to reproduce or propagate itself or cause damage to Trust Property or plant or animal life thereon.

Bathing and boating

10 (1) No unauthorized person shall bathe in any lake or pond owned by the Trust unless permitted by a notice exhibited by or with the authority of the Trust.

(2) No unauthorized person shall use a boat, toy boat or model aeroplane on any lake, pond or other Trust Property.

(3) No unauthorized person shall skate on rollers in any car park on Trust Property or on any road owned by the Trust and on which vehicular traffic is permitted by the Trust.

Driving, parking and mooring of conveyances

11 (1) No unauthorized person shall—

- (a) moor, park or leave on Trust Property any conveyance except in mooring sites or parking places provided by the Trust;
- (b) leave any conveyance between sunset and sunrise in any parking place on Trust Property;
- (c) ride or drive any conveyance over or upon Trust Property otherwise than upon roads, tracks and waterways authorized for the use of such conveyance;
- (d) use any part of Trust Property in connection with any race, rally or other similar function involving the use of any conveyance.

(2) No person shall ride or drive any conveyance to the danger or annoyance of or without due consideration for other persons resorting to Trust Property.

(3) In this regulation "conveyance" includes any vehicle or machine used for transport by air, land or water other than a wheelchair and a perambulator.

Horse-riding

12 (1) No unauthorized person shall ride a horse on any part of Trust Property where horse-riding is prohibited by a notice exhibited by or with the authority of the Trust, or where horse-riding is likely to result in damage to Trust Property whether prohibited by notice or not.

(2) No person shall ride a horse to the danger or annoyance of or without due consideration for other persons resorting to Trust Property.

Camping

13 No unauthorized person shall pitch, erect, or permit to remain on Trust Property any tent, booth, windbreak, pole, clothesline, building, shed, post, fence, railing or other erection or obstruction whatsoever.

[Marginal note missing from text]

14 No unauthorized person shall take any water from Trust Property or pollute the same.

Noise

15 No unauthorized person shall, in any building on Trust Property or in the open air on any Trust Property, after having been requested to desist by any person on Trust Property who is disturbed by the sound of the instrument, operate or cause or suffer to be operated any wireless set, television set, tape recorder, gramophone, amplifier or similar instrument, or operate or play upon any noisy instrument.

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[Marginal note missing from text]

16 No unauthorized person shall bring onto Trust Property any swing, roundabout, organ or other like thing.

Hawking

17 No unauthorized person shall on Trust Property sell or offer or expose for sale any commodity or article, or for the purpose of trade or reward take any photograph.

Public gatherings

18 No public gathering, procession or exhibition shall be permitted to take place on Trust Property without the previous written authority of the Director or in his absence a duly authorized member of the Trust, and no person shall interfere with or hinder any function which has been authorized as aforesaid.

Training of animals

19 No unauthorized person shall, except in any such place as may from time to time be set apart by the Trust for the purpose, break in or train or race any horse, dog or other animal.

Agistment

20 No unauthorized person shall turn out or permit to remain on Trust Property any cattle, sheep or other animal.

National Trust officers' powers to remove offenders

- 21 Any officer of the Trust may remove from Trust Property—
- (a) any conveyance as defined in regulation 11 for the time being on Trust Property in contravention of these Regulations;
 - (b) any structure for the time being erected on Trust Property in contravention of these Regulations;
 - (c) any show, exhibition, swing, roundabout, organ or other like thing for the time being on Trust Property in contravention of these Regulations;
 - (d) any cattle, horse or other animal found by him on Trust Property in contravention of these Regulations; or
 - (e) after due warning, any person who in his view commits any offence against these Regulations.

Obscene language

22 No person shall on Trust Property use any indecent or obscene language to the annoyance of any person.

Trust buildings

23 No unauthorized person shall without the permission of the Trust—

- (a) enter or remain in any Trust Building wearing boots or shoes which may do damage to such building or any of the contents thereof;
- (b) smoke or carry a lighted pipe, cigar or cigarette in any Trust Building where smoking is not allowed by order of the Trust;
- (c) touch any furniture or other contents of any Trust Building or (without prejudice to the generality of the foregoing) sit upon any chair or other article of furniture in any such Building.

Nuisance and wilful obstruction

24 No person shall on Trust Property wilfully obstruct, disturb, interrupt or annoy any other person in the proper use and enjoyment of such property or wilfully hinder, obstruct, disturb, or interrupt any Officer of the Bermuda National Trust in the exercise of his powers and duties under the Bermuda National Trust Act 1969 [*title 20 item 10*] or these Regulations.

Unlawful entry

25 No unauthorized person shall climb any wall, fence, or hedge on or enclosing Trust Property or any gate in such wall, fence or hedge.

Penalties for infringement of regulations

26 Every person who shall offend against any of the foregoing regulations shall be liable on summary conviction to a fine not exceeding \$250.00.