


**BRITISH INDIAN OCEAN TERRITORY**

# SPECIAL GAZETTE

**No. 4** **Vol. LVIII** **No. 4**

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No. 4 of 2026

**GAZETTE SUPPLEMENT**

**LEGAL SUPPLEMENT**

A. The following Ordinances have been enacted:

1. Ordinance No. 6 of 2026: The Environment Protection (Miscellaneous Provisions) Ordinance 2026

B. The following Proclamations, Directions, Orders and other statutory instruments have been enacted:

1. S.I. No. 5 of 2026: The Marine Turtles Protection Regulations 2026

2. S.I. No. 6 of 2026: The Wildlife Protection Regulations 2003 (Amendment) Regulations 2026

C. The following UK laws have been extended to the Territory:

1. S.I. No. 1089 of 2026: The Global Human Rights and International Humanitarian Law Sanctions (Overseas Territories) Order 2026

# LEGAL SUPPLEMENT




THE BRITISH INDIAN OCEAN TERRITORY

# THE ENVIRONMENT PROTECTION (MISCELLANEOUS PROVISIONS) ORDINANCE 2026

## Ordinance No. 6 of 2026

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**THE BRITISH INDIAN OCEAN TERRITORY**

# THE ENVIRONMENT PROTECTION (MISCELLANEOUS PROVISIONS) ORDINANCE 2026

## Ordinance No. 6 of 2026

ARRANGEMENT OF SECTIONS


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Enacted by the Commissioner for the British Indian Ocean Territory

26th October 2026

[SIGNED ON ORIGINAL]

Nishi Dholakia
HM Commissioner

# THE ENVIRONMENT PROTECTION (MISCELLANEOUS PROVISIONS) ORDINANCE 2026

## Ordinance No. 6 of 2026

*An Ordinance to provide for increased maximum penalties for offences concerning environmental crime, increased ability for fixed penalty notices to be issued and related matters.*

**Citation and commencement.**

**1.** This Ordinance may be cited as the Environment Protection (Miscellaneous Provisions) Ordinance 2026 and shall come into force forthwith.

**Amendment of existing laws.**

**2.** For each of the laws specified in the Schedule, the items listed in Column 1 shall be replaced, amended or otherwise dealt with in accordance with the corresponding items in Column 2.

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## SCHEDULE

| Column 1 | Column 2 |
|---|---|
| **The Protection and Preservation of Wild Life Ordinance 1970** | |
| 1. Section 2(1) | 1. Insert a definition, in the correct alphabetical order, that reads:<br><br>““flora” means any living botanical organism belonging to the kingdom *Plantae*, including but not limited to trees, shrubs, vines, perennial and annual plants, grasses, ferns and mosses, that is rooted, growing or otherwise maintaining active biological and metabolic functions;” |
| 2. Section 3(2)(g) | 2. Replace “£5,000” with “£50,000”. |
| 3. Section 3 | 3. Insert a new subsection (12) that reads: |

<table>
<tr><td></td><td>"(12) Despite section 169(1) of the Criminal Procedure Code 2019, the Magistrate's Court, on convicting any person of an offence under regulations made pursuant to this section has jurisdiction to impose on him any fine to which he is liable under those regulations for that offence, and despite section 197(1) of that Code, any court may, in such a case, order that person to pay to the Crown such costs and expenses incurred by the Crown in preparation for or otherwise in connection with the proceedings as it thinks proper."</td></tr>
<tr><td>The Criminal Procedure Code 2019<br><br>Schedule 5</td><td>Insert the following at the end of the schedule:<br><br>"<table><tr><td>The Wildlife Protection Regulations 2003 Regulations:</td><td>General nature of offence:</td></tr><tr><td>Regulation 3(1)(a), (b), (c), (d), (e), (f) and (g).</td><td>Prohibited acts with respect to fauna.</td></tr><tr><td>Regulation 3A(1)(a), (b) and (c).</td><td>Prohibited acts with respect to protected plants.</td></tr></table>"</td></tr>
<tr><td>The Strict Nature Reserve Regulations 1998<br><br>1. Regulation 3(1)(d)<br><br>2. Regulation 3(2)<br><br>3. Regulation 3(3)</td><td>1. Insert the words "or recklessly" after the word "knowingly".<br><br>2. Replace "£5,000" with "£50,000".<br><br>3. Regulation 3(3) is repealed.</td></tr>
<tr><td>The Wild Life Protection (Lighting of Fires in the Outer Islands) Regulations 2018<br><br>Regulations 8(2)</td><td>Replace "£5,000" with "£50,000".</td></tr>
</table>

BRITISH INDIAN OCEAN TERRITORY

# THE MARINE TURTLES PROTECTION REGULATIONS 2026

## S.I. No. 5 of 2026

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# THE MARINE TURTLES PROTECTION REGULATIONS 2026

## S.I. No. 5 of 2026

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THE BRITISH INDIAN OCEAN TERRITORY

# THE MARINE TURTLES PROTECTION REGULATIONS 2026

## S.I. No. 5 of 2026

In exercise of the powers conferred by section 3 of the Protection and Preservation of Wild Life Ordinance 1970, hereinafter referred to as "the Ordinance", His Excellency the Commissioner has made the following regulations –

**Citation and commencement.**

**1.** These regulations may be cited as the Marine Turtles Protection Regulations 2026 and shall come into force forthwith.

**Definitions.**

**2.** In these regulations –

"Commissioner" means the Commissioner for the British Indian Ocean Territory;

"sale" includes exchange or barter;

"the Territory" means the British Indian Ocean Territory;

"marine turtle" means any turtle of the family Cheloniidae or Dermochelyidae.

**Prohibition to harpoon, kill, destroy, and take possession of marine turtles.**

**3.** Save as otherwise provided in section 4 of the Ordinance, no person shall harpoon, kill, destroy or take possession of any marine turtle for any reason whatsoever.

**Prohibition to purchase, sell, etc. turtles and products of turtles.**

**4.** Save as otherwise provided in section 4 of the Ordinance, no person shall purchase, sell, exhibit for sale, export or be in possession of any marine turtle, either alive or dead, or of marine turtle meat, of calipee and of other products of marine turtles.

**Offences and penalties.**

**5.** Any person contravening the provisions of regulation 3 or regulation 4 of these regulations is guilty of an offence and is liable to a fine of £50,000 and to imprisonment for one year.

**Repeal.**

**6.** The following regulations made under the Ordinance are hereby repealed –

(a) The Green Turtles Protection Regulations 1968, and

(b) The Restriction of Exportation of Giant Land Tortoises Regulations 1968.

[SIGNED ON ORIGINAL]

Nishi Dholakia
HM Commissioner
British Indian Ocean Territory

26th October 2026




BRITISH INDIAN OCEAN TERRITORY

# THE WILDLIFE PROTECTION REGULATIONS 2003 (AMENDMENT) REGULATIONS 2026

## S.I. No. 6 of 2026

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# THE WILDLIFE PROTECTION REGULATIONS 2003 (AMENDMENT) REGULATIONS 2026

## S.I. No. 6 of 2026

ARRANGEMENT OF REGULATIONS


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THE BRITISH INDIAN OCEAN TERRITORY

# THE WILDLIFE PROTECTION REGULATIONS 2003 (AMENDMENT) REGULATIONS 2026

## S.I. No. 6 of 2026

*The Commissioner, in exercise of the powers conferred on him by section 3 of the Protection and Preservation of Wild Life Ordinance 1970 and all other powers enabling him in that behalf, hereby makes the following regulations –*

**Citation and commencement.**

**1.** These regulations may be cited as the Wildlife Protection Regulations 2003 (Amendment) Regulations 2026 and shall come into force forthwith.

**Definition.**

**2.** "The Principal Regulations" means the Wildlife Protection Regulations 2003.

**Amendment of regulation 3.**

**3.** Regulation 3 of the Principal Regulations is amended by –

(a) Deleting the words "flora and" from the heading;

(b) Inserting the words "or recklessly" after the word "intentionally" in sub-regulation (1)(a), (e), (f) and (g);

(c) Deleting sub-regulation (1)(h);

(d) Deleting "; or" at the end of sub-regulation (1)(g) and replacing it with a full stop;

(e) Deleting "£5,000" from sub-regulation (6) and replacing it with "£50,000";

(f) Deleting sub-regulation (7)(e);

(g) Deleting "; or" at the end of sub-regulation (7)(d) and replacing it with a full stop, and

(h) Deleting "In paragraphs (1)(d)(ii), (1)(h), (7)(b) and (7)(e)" in sub-regulation (9) and replacing it with "In paragraphs (1)(d)(iii) and (7)(b)".

**Addition of new regulation 3A.**

**4.** The Principal Regulations are amended by inserting a new regulation 3A, immediately after regulation 3, as follows –

**"Prohibited acts with respect to protected plants.**

**3A.** (1) Subject to section 4 of the Ordinance, it is an offence for any person, without reasonable excuse, –

(a) wilfully or recklessly to pick, collect, cut, uproot or take any protected plant, by any method, or attempt to do any such thing;

(b) to have possession of any protected plant;

(c) to disturb, damage or destroy the habitat of any protected plant.

(2) This regulation does not apply to any protected plant within 305 metres from the centreline of the runway at Diego Garcia.

(3) Any person who is convicted of an offence under this regulation is liable to imprisonment for not more than 6 months or to a fine not exceeding £50,000 or to both such imprisonment and such fine.

(4) Without prejudice to any other powers vested in him in that behalf, a Police Officer may seize any thing that is or that might be protected by this regulation, that is to say any flora (whether or not specified in the Schedule to these regulations), in respect of which he has reason to suspect that an offence under this regulation may have been committed or which he believes may be evidence of such an offence and may detain the thing seized pending the conclusion of the investigation into the suspected offence or, as the case may require, until the conclusion of any proceedings for such an offence:

Provided that, whether or not any such proceedings have been instituted or have been concluded, a Magistrate may at any time order any thing which has been so seized to be destroyed if it appears to him to be necessary so to do in the interests of public health or the amenity of human life, and any thing so destroyed shall then be disposed of as the Commissioner's Representative may direct.

(5) Without prejudice to paragraph (4), any thing protected by this regulation (as specified in that paragraph) in respect of which any person has been convicted of an offence under this regulation may be ordered by a Magistrate to be forfeited to the Crown and shall then be dealt with as the Commissioner's Representative may direct.

(6) In this regulation "protected plant" means any flora specified in column 1 of the Schedule, subject to any criteria set out in column 2 of that Schedule."

**Addition of a schedule.**

**5.** The Principal Regulations are amended by the addition of a schedule, as follows –

"**SCHEDULE**

*Regulation 3A(6)*

For the purposes of regulations 3(1)(h) and 3(7)(e), the following flora are specified:

| | Column 1 | Column 2 |
|---|---|---|
| | Name | Conditional criteria |
| 1. | Borneo Teak<br>*Intsia bijuga* | |
| 2. | Takamaka Tree<br>*Calophyllum inophyllum* | |
| 3. | Pisonia Tree<br>*Pisonia grandis* | |
| 4. | Longest spleenwort<br>*Asplenium longissimum* | |
| 5. | Grey nicker *Guilandina bonduc* | |
| 6. | *Achyranthes seychellensis* | |
| 7. | Tree heliotrope<br>*Heliotropium arboreum* | Only in exceptional circumstances may pruning be permitted, under section 4 of the Ordinance, below a height of 1.5 metres. |
| 8. | Lagrezia<br>*Lagrezia oligomeroides* | |
| 9. | Mauritian Purslane<br>*Portulaca mauritiensis* | |
| 10. | Scaevola shrubs *Scaevola taccada* | Only in exceptional circumstances may pruning be permitted, under section 4 of the Ordinance, below a height of 1.5 metres. |
| 11. | Jewelled Maiden Fern<br>*Thelypteris opulenta* | |
| 12. | White-flowered Black Mangrove *Lumnitzera racemosa* | |
| 13. | The Fish Poison Tree<br>*Barringtonia asiatica* | |

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[SIGNED ON ORIGINAL]

Nishi Dholakia
HM Commissioner
British Indian Ocean Territory

26th October 2026

# UK LAWS EXTENDED TO THE BRITISH INDIAN OCEAN TERRITORY

1. S.I. No. 1089 of 2026: The Global Human Rights and International Humanitarian Law Sanctions (Overseas Territories) Order 2026