



REPUBLIC OF MOZAMBIQUE

Ministerial Diploma No. <add day> of <add month> 2021

Given that it is necessary to establish the set of operating rules for the Maputo National Park, created by Decree <add number>, pursuant to Article 147 of the Regulations of Law No. 5 / 2017 of 11 May, Law on the Protection, Conservation, and Sustainable Use of Biological Diversity (hereinafter the Law determines), the Minister of Land and Environment, as follows:

Article 1: The Specific Regulation for the Maputo National Park, which is an integral part of this Law, is approved.

Article 2: The diploma comes into force 30 days after its publication.

Maputo, <add month> 2021 -

The Minister for Land and Environment, *Ivete Maibaze*,



REPUBLIC OF MOZAMBIQUE

Specific Regulation for the Maputo National Park

CHAPTER I General Provisions

ARTICLE 1 (Objective)

This Specific Regulation (hereinafter referred to as the Regulation) establishes the terms and conditions for the management, conservation and uses of the biophysical and cultural resources of the Maputo National Park (hereinafter the Park).

ARTICLE 2 (Definitions)

Definitions of the terms and expressions used in this Regulation are set out in the Glossary in Annex 1, which forms an integral part hereof.

ARTICLE 3 (Scope of application)

- 1) The rules established in this Regulation apply to all natural or legal persons, public or private, national or foreign, who enter and carry out activities and development, whatever these are, within the Park.
- 2) The management of the Park is carried out in accordance with the rules set out in:
 - a) The Decree of the Park;
 - b) The duly approved Management Plan and any subsidiary operational protocol of the Park in terms of the Management Plan;
 - c) This Regulation.
- 3) The management of the Park can be implemented through partnerships, contracts and agreements.

ARTICLE 4 (Exclusion of liability)

- 1) Park Management, ANAC and the Ministry of Land and Environment are not responsible for any accident during the stay of visitors in the Park, as well as for any damage, injury, loss, theft or destruction of objects for personal use or others that have not been entrusted to its custody.
- 2) Pursuant to subregulation (1), notices will be displayed by Park Management at designated areas within the Park or communicated as appropriate, indemnifying Park Management, ANAC and the Ministry of Land and Environment against claim any, action, judgment, costs and/or expenses.

ARTICLE 5 (Park management interventions and related developments)

- 1) The following Park management interventions and related developments may take place anywhere in the Park as and when needed:

- a) Scientific research and monitoring;
 - b) Law enforcement patrols and reaction;
 - c) Park managed tourism and events;
 - d) General Park management.
- 2) A person is not in contravention of any provision of the Regulation if that person needs to undertake a prohibited activity-
- a) to perform his or her obligations as an employee, agent or contractor of Park Management under his or her contract with, or mandate from, the Park Supervisory Committee or to achieve the purposes of this Regulation;
 - b) to carry out public duties as an employee, agent or contractor or an organ of State within the Park;
 - c) in case of an emergency.

CHAPTER II **General conduct and access rules**

SECTION I **General**

ARTICLE 6 (Overall prohibitions)

- 1) In accordance with Article 78(2) of the Regulation to the Law the following activities are generally prohibited in the Park, except for Park management interventions and related developments as set out in Article 5 and activities by Resident Communities duly authorised by Park Management in terms of Articles 18 and 19:
- a) Hunting;
 - b) Forest exploration;
 - c) Agriculture;
 - d) Mining and prospecting;
 - e) Livestock farming;
 - f) Conducting research or prospecting, probing or construction of landfill sites;
 - g) All works aimed at modifying the appearance of the terrain or the characteristics of vegetation, as well as causing water pollution;
 - h) The introduction of zoological or botanical species, whether exotic or wild;
 - i) Any act which, by its nature, can cause disturbances to the maintenance of ecological processes, flora, fauna and cultural heritage.
- 2) In terms of this Regulation, visitors and users, as well as employees, agents or contractors of Park Management, are generally prohibited from:
- a) As regards drugs and alcohol-
 - i) entering the Park with any illegal pharmaceutical or narcotic substance;
 - ii) operating any mode of transport, plant, machinery or equipment whilst under the influence of drugs or alcohol;

- iii) consume alcoholic beverages other than in areas duly authorised or designated for this purpose by Park Management.
- b) Interfering in any manner with authorised local community activities;
- c) Behaving in an offensive, disrespectful, improper, indecent or disorderly manner towards any official or agent of Park Management or any other person;
- d) Engaging in any act which is causing a nuisance, disturbance or danger to any other person;
- e) Hindering, intimidating or obstructing of a Park Management official and agent in the execution of his/her duties or the performance of his/her functions;
- f) Failing to comply with any notice, signage or demarcation markers affixed to Park property or placed by Park Management anywhere within the Park;
- g) Unlawfully occupy, enter, inhabit or use any property of or property used by Park Management or its agents;
- h) Damaging, misusing, removing or destroying any property of Park Management in conflict with Park Management directions;
- i) Defacing, altering or causing any damage to any object of geological, archaeological, historical, ethnological, oceanographic, educational or other scientific interest or any property belonging to or utilised by local communities within the Park;
- j) Unlawfully harming, killing or interfering with any form of biodiversity in the Park;
- k) Causing a fire or discarding any burning object in any place where it may set fire to any other object or otherwise acting in a manner likely to cause a fire other than at a place where the making of a fire is permitted by Park Management and failing to extinguish any fire lit in a designated area, once it has been used for its intended purpose;
- l) Bringing in and using any fireworks within the Park;
- m) Using any recording of the sound of a species or specimen or the imagery or scent of a species or specimen to attract animals;
- n) Depositing or leaving of any litter or any form of waste, except in designated areas and receptacles made available by Park Management or its agents for that purpose;
- o) At any time or in any manner, polluting any water resource in the Park;
- p) Engaging in any restricted activity or development without authorisation in terms of Article 21;
- q) Engaging in any of the following activities-
 - i) swimming or bathing in any of the freshwater lakes or rivers in the Park;
 - ii) swimming or bathing in a designated launch area;
 - iii) using jetskis on any of the freshwater lakes in the Park;
 - iv) using jetskis for recreational purposes other than fishing;
 - v) feeding or chumming of any terrestrial or marine wildlife;
 - vi) using motorcycles, quad bikes or any all-terrain vehicle in the Park;
 - vii) dune-sliding;
 - viii) overnighing on the beach;

- ix) launching and beaching of a boat other than at a designated launch site;
- x) landing or takeoff in an aircraft other than at a designated airstrip or landing area;
- r) As regards fishing-
 - i) Coastal Artisanal, Semi-industrial and Industrial Fishing;
 - ii) fishing with or being in the possession of dynamite or any other methods or harmful substances;
 - iii) being in the possession of any fish species protected by law;
 - iv) catching any fish species other than permitted in Annex II, which forms an integral part of this Regulation;
 - v) fishing for or being in the possession of Bottom Fish;
 - vi) fishing by means of or being in the possession of vertical jigs or any fish aggregating devices;
 - vii) extractive recreational fishing in freshwater lakes or rivers;
 - viii) using hooks other than barbless or circular hooks: only circular hooks may be used when bait fishing for billfish (Marlin spp);
 - ix) using stainless steel hooks;
 - x) using steel traces longer than 40cm;
 - xi) discarding of fishing line in the Park except in designated areas and receptacles made available by Park Management or its agents for that purpose.

ARTICLE 7 (Age restrictions)

- 1) If under the age of 18, visitors shall be accompanied by an adult who is responsible for said visitor.
- 2) Age restrictions imposed for safety reasons on activities conducted in the Park by any other law or regulation, or as set out in activity authorisations, shall be complied with.

ARTICLE 8 (Firearms and dangerous weapons)

- 1) Only an authorised official or person acting under the specific authority of Park Management shall convey into or be in possession of any firearm or dangerous weapon or any explosive, trap or poison in the Park.
- 2) A person in possession of a valid licence for a firearm may convey that firearm into the Park subject to the following conditions:
 - a) The person shall hand in all firearms in his or her possession to an authorised official at the first checkpoint of Park Management, whether such checkpoint is an entrance gate, a rest camp or an office of an authorised official, as the case may be, for the purposes contemplated in subparagraph (b);
 - b) The person contemplated in subparagraph (a) shall make the firearm safe and remove the magazine and any bullets that might be in the chamber of the firearm before handing the firearm to the authorised official;
 - c) The official authorised to whom the firearm is handed as contemplated in subparagraph (b), shall ensure that the firearm is not loaded and shall seal the firearm in such a manner that the firearm cannot be used without the seal being broken;
 - d) When leaving the Park, the person contemplated in subparagraph (a) shall hand over the firearm for inspection to the authorised official at the checkpoint contemplated in subparagraph (a) to determine whether any seal on the firearm is broken; if found to be broken then the owner or possessor of the firearm shall be guilty of an offence;

- e) All authorised officials and people residing within the Park shall declare all firearms in their possession in the Park to Park Management who shall maintain a register of such firearms at all times.
- 3) No person may discharge a firearm within the Park, except
 - a) if that person is authorised by Park Management thereto;
 - b) for the discharge of a blank by an authorised official during an organized competition or event;
 - c) in connection with the collection of specimens of aquatic life or animals for scientific purposes, subject to the written consent of Park Management;
 - d) to give a distress signal;
 - e) protection of human life by authorised agents, guides or officials.

ARTICLE 9 (Pets)

- 1) Any dog, cat or other pet belonging to or under the care of any person may enter and remain in the Park only within designated areas in the marine component of the Park where it does not adjoin the terrestrial component of the Park (see Section IV) and only if compliant with relevant laws and regulations.
- 2) Authorisation by Park Management is required for any pet outside of the designated areas contemplated in subregulation (1).
- 3) Any dog, cat or other pet contemplated in subregulation (1) which is found outside the permitted area referred to in subregulation (1) or is not authorised in terms of subregulation (2) and which is not in the care of any person, may either be caught and removed to a pound or destroyed at the discretion of Park Management.
- 4) Any dog, cat or other pet suspected of hunting or in pursuit of any wildlife may be impounded or destroyed during or after such act at the discretion of Park Management.

SECTION II **Access**

ARTICLE 10 (Admission)

- 1) Access to and traversing within the Park are subject to appropriate authorisation and access permissions as determined from time-to-time and granted by Park Management: Right of admission is reserved by Park Management.
- 2) Visitors shall pay the appointed admission fees, fees for services defined by law as well as any other fee as determined by law from time-to-time, in places established for entry, which ensure right of entry and conditional movement within the limits and times of the Park.
- 3) Visitors considered dangerous or undesirable due to previous behavior will not be allowed access to the Park.
- 4) Visitors shall leave the Park after the end of the period of stay to which he/she was entitled or when duly notified by the Park Management to do so.
- 5) Any person who has been granted entry into the Park shall-
 - a) be allowed admission only to a specific area and at designated times as determined by Park Management;
 - b) comply with any prohibition imposed by this Regulation as well as any other law or regulation which applies in the Park;
 - c) obey any lawful instruction given by any Park Management official and agents;
 - d) obey any Park Management signage and markers, whether permanent or temporary.

- 6) Access to overnight areas and facilities are only for booked overnight guests and officials or agents acting under authority of Park Management.
- 7) Park Management may close the Park or any part of the Park-
 - a) if, in Park Management's opinion-
 - i) the closure is necessary or desirable for the proper management of the Park;
 - ii) the closure is necessary for Park Management to perform any of its functions in terms of the Law, any other law or this Regulation;
 - b) if a fire ban is in force in an area that includes all or part of the Park;
 - c) if the risk of uncontrolled fire in the Park is, in Park Management's opinion, extreme;
 - d) if Park Management staff necessary to patrol the Park are unavailable;
 - e) if, in Park Management's opinion, it is in the interest of public safety to close the Park.
- 8) No person shall, without the permission of Park Management, enter or remain in the Park or part thereof that has been closed in terms of subregulation (7).

ARTICLE 11 (Points of entry and exit)

- 1) No person shall enter or leave the terrestrial component of the Park at any place other than through an official designated point of entry or exit, without the written permission of Park Management.
- 2) Where the marine zones of the Park adjoin the Park terrestrial zones (see Section VI), no person shall be permitted to access the terrestrial zones from the marine zones without proof of entry or accommodation reservation or as determined by Park Management from time-to-time.
- 3) Where public roads such as the N1 pass through the Park, no person shall be permitted-
 - a) to leave such a public road;
 - b) to enter into the Park from such public road other than in compliance with subregulation (1).

ARTICLE 12 (Times of entry and travel)

- 1) Gate times and visiting hours shall be strictly adhered to.
- 2) Resident Communities of the Park shall respect gate times and visiting hours.
- 3) The Park is open to visitors every day of the week, from 6am to 5pm between 1 October to 31 March and from 7am to 4pm between 1 April and 30 September.
- 4) Park Management may prescribe cut-off entry times for visitors to overnight facilities.
- 5) After hours entry and driving after hours are only allowed when duly authorised by Park Management.
- 6) Park Management may for reasons of management and protection of ecosystems and biodiversity as well as safety of visitors, where and when necessary, limit the times of entry and travel of visitors in the Park.

ARTICLE 13 (Proof of entry)

- 1) Residents and visitors are obliged to:
 - a) Declare upon entry into the Park any items of concern that they may carry with them, by completing the appropriate form provided for this purpose;

- b) Carry appropriate identification and state their identity when requested to do so by Park Management and agents;
 - c) Keep their entrance permit and proof of payment of any fees during their period of stay in the Park and display this when requested to do so by Park Management and agents and where applicable;
 - d) Facilitate the inspection of modes of transport, plant and machinery and any equipment whenever requested by Park Management and its agents.
- 2) Any person who enters the Park by Aircraft or vessel may, after disembarking from such Aircraft or vessel, travel by vehicle, without prior written approval or proof of entry, from the landing field or landing within the Park to the nearest place designated by Park Management, to obtain the necessary permit for entry, where applicable.
 - 3) Any person who does not use a vehicle to enter the Park shall display or be in possession of proof of entry in a manner determined by Park Management.

ARTICLE 14 (Transport, plant, machinery and equipment)

- 1) No person shall enter the Park in any mode of transport, or use plant, machinery or equipment that does not meet statutory legal safety and licensing or registration requirements or conforms to the dimensions and other requirements determined by Park Management from time-to-time.
- 2) No person driving or operating any mode of transport, plant, machinery or equipment in the Park shall-
 - a) drive or operate such transport, plant, machinery or equipment in a reckless or negligent manner or in a deliberate or intentional disregard for the safety of any person, species, specimen or property of whatever nature;
 - b) drive, park, anchor or stop in any manner that causes an obstruction, blocks the pathway of a Park management operation or emergency vehicle;
 - c) drive, operate, park, anchor and alight in a place other than in a place designated for that purpose by Park Management except due to malfunction;
 - d) exceed indicated speed limits on water;
 - e) exceed a speed limit of 40km/h on all roads except designated 4x4 trails where a speed limit of 30km/h is imposed and on the N1 between Maputo and Kosi Bay where a speed limit of 50km/h applies;
 - f) use a bicycle in the terrestrial component of the Park except when accompanied by a guide duly accredited and authorised by Park Management or as agreed by Park Management;
 - g) use a vehicle other than a 4x4 except for local communities transiting the terrestrial component of the Park on the Spine Road;
 - h) drive along the beach, except for boat launching purposes at recognised launching sites and under special circumstances;
 - i) launch any vessel other than at an authorised or designated jetty or launch site which may be subject to specific requirements by Park Management as regards parking, completion of launch registers and other measures to avoid congestion and ensure safety of users;
 - j) transporting of passengers in open cargo bins of vehicles unless in a designated area or if the vehicle is a tour vehicle approved for use in the Park;
 - k) use any form of vessel on any waters within the Park without prior authorisation by the competent regulatory authority and Park Management, except when accompanied by a guide duly accredited by Park Management or transporting people in the marine component of the Park within the Bay to the west of the most northernly point of Inyaka Island and compliant with any statutory requirements;
 - l) start or run any outboard motor on dry land unless in a designated area;

- m) operate any internal combustion driven generator or compressor unless authorised by Park Management.
- 3) Drivers shall grant right of way to pedestrians and wildlife or marine life inside the Park if this does not imply danger to their lives or that of passengers.
- 4) Recovery of any mode of transport, plant, machinery or equipment by Park Management will be at a cost and Park Management will not be responsible for any damages as a result of such recovery.
- 5) With regard to Aircraft, visitors and users of the Park are prohibited from flying over the airspace of the Park at altitudes lower than 2,000ft as determined by law without the authorisation of the competent regulatory authority and Park Management.

CHAPTER III Activities and developments

SECTION III General rules for activities and developments

ARTICLE 15 (Restricted activities and developments)

- 1) A person may not undertake a restricted activity or development in the Park unless-
 - a) in areas set aside by Park Management for such use;
 - b) listed as permissible under Section IV;
 - c) pursuant to an authorisation and conditions determined by Park Management;
 - d) payment of the appropriate fees between that person, or some other person, and Park Management, if so determined by Park Management.
- 2) The restricted activities and developments contemplated in subregulation (1) include:
 - a) Burning non-organic rubbish or any form of waste;
 - b) Causing any noise in a manner that is likely to disturb any species or specimen or other person;
 - c) Any form of resource use or harvesting within the Park by local communities;
 - d) Any form of Bioprospecting;
 - e) Conduct any business or trade or the provision of, or the offering to provide, any service for a fee or reward;
 - f) Collecting any money from the public, including for any charitable organisation;
 - g) Holding or offering any special event, special interest tour, entertainment or competitions, including organising or cause to be organised or attend or participate in any public meeting, demonstration or gathering, in the Park;
 - h) Placing, displaying or distributing any advertisement, promotional material or notice anywhere in the Park;
 - i) Conducting any research or experiment;
 - j) With regard to transport and remote operation of any mode of transport-
 - i) Launching, or using a vessel on any body of water in the Park;
 - ii) Self-drive on certain 4x4 trails within the Park;
 - iii) Driving a vehicle off-road or off designated roads or tracks, in the Park;
 - iv) Operating any form of Aircraft including drones and hot air balloons within the airspace of the Park below 2,000ft;

- v) Skydiving or using a hang glider or any other kind of glider in the Park;
 - k) Engaging in any recreation, adventure or sport activities;
 - l) Visual imaging, filming, sound recordings, or photography intended for any form of financial gain;
 - m) Constructing, erecting or improving any form of building or structure;
 - n) Establishing or in any way altering, extending, enlarging or replacing any sewerage disposal system or other services within the Park;
 - o) In any manner changing the characteristics of any watercourse or water area;
 - p) Abstract water from within any water resource within the Park or any water resource forming a boundary with the Park;
 - q) Collecting, be in possession of, damaging, or removing any biological, cultural or heritage object from within the Park;
 - r) Altering or changing the sense of place or any environmental, cultural or spiritual values.
- 3) No activity which requires an environmental impact assessment to be undertaken, may be implemented before Park Management has approved, with or without conditions, the environmental impact assessment before it is submitted to the relevant authority for approval.

ARTICLE 16 (Limits for activity operators)

- 1) The following limits are set for scuba diving operators:
- a) Gold Tip: Six (6);
 - b) Ponta Malongane: Two (2);
 - c) Ponta Mamoli: One (1);
 - d) Techobanine Tip: Two (2);
 - e) Ponta Dobela: One (1);
 - f) Ponta Milibangalala: One (1);
 - g) Membene Tip: One (1)
 - h) Tip Chemucane: One (1);
 - i) Ponta Mucombo: One (1);
 - j) Ponta Abril: One (1);
 - k) Ponta Santa Maria: One (1);
 - l) Inhaca Island: Two (2).
- 2) The following limits are set for marine mammal and cartilaginous fish watching operators:
- a) Gold Tip: Two (2);
 - b) Ponta Malongane: One (1);
 - c) Machangulo Peninsula: One (1);
 - d) Inhaca Island: One (1);

- e) Mamoli Tip: One (1).
- 3) The following limits are set for recreational snorkelling tour operators:
- a) Gold Tip: Six (6);
 - b) Ponta Malongane: Two (2);
 - c) Ponta Mamoli: One (1);
 - d) Techobanine Tip: Two (2);
 - e) Ponta Dobela: One (1);
 - f) Ponta Milibangalala: One (1);
 - g) Membene Tip: One (1)
 - h) Tip Chemucane: One (1);
 - i) Ponta Mucombo: One (1);
 - j) Ponta Abril: One (1);
 - k) Ponta Santa Maria: One (1);
 - l) Inhaca Island: Two (2).
- 4) Other commercial operations not specified in this Regulation may be considered by Park Management and will be subject to authorisation in terms of Article 21.

ARTICLE 17 (Research)

- 1) The activities of authorised research or study teams shall be carried out in collaboration with Park Management.
- 2) Any person undertaking research or monitoring projects in the Park shall-
 - a) submit a research plan to Park Management in a format determined by Park Management at least 60 days before planned commencement of any activities;
 - b) submit all data and information gathered during any research or monitoring project to Park Management in a format determined by and at stages of the project specified by Park Management;
 - c) submit copies of all reports and publications as a result of the research or monitoring project to Park Management within 30 days of their publication.
- 3) Research not foreseen in the Management Plan or any subsidiary operational protocol of the Park or which is not of fundamental interest to Park Management, require an authorisation issued by the Council of Ministers and, once authorised, the approved research plan shall be submitted to Park Management at least 60 days in advance of commencement of research and scientific activities.
- 4) Park Management reserves the right to share and make use of all scientific material or public domain information produced through information collected in the Park, as well as, the right to share its intellectual property, respecting the rights of authorship.

ARTICLE 18 (Resident communities)

- 1) Households and individuals of Resident Communities in the Park shall be registered with Park Management.
- 2) Park Management shall assess and demarcate a designated footprint for each household within 30 days of registration.
- 3) A designated settlement footprint per household is not allowed to expand after assessment and demarcation by Park Management.
- 4) Buildings within the settlement footprint may not be in brick and mortar.
- 5) Natural materials for maintenance and repair to buildings within a designated settlement footprint may only be collected outside this footprint with prior Park Management approval.
- 6) No new houses or buildings are allowed within a designated settlement footprint.
- 7) Collection of dry and dead wood is only allowed for household consumption and within 1km of designated settlement footprints. Wood may not be sold to tourists or any other users or visitors. Harvesting of any other biological resources is subject to Article 19.
- 8) Designated areas per household for growing of crops for household consumption may not change or expand after assessment and designation by Park Management without prior Park Management approval. No agricultural machinery may be used for farming purposes.
- 9) No fires are permitted for purposes of land clearance or improvement of grazing areas.
- 10) No new person may settle within the Park except in the case of marriage and within a designated existing footprint.
- 11) The use of vehicles by Resident Communities in the Park is only allowed on designated roads and tracks and with prior Park Management approval.
- 12) Walking or cycling in the Park by Resident Communities is only allowed in designated areas, namely within their area of residence and the direct route towards designated Park entry and exit points, and only with prior Park Management approval.

ARTICLE 19 (Use of biological resources)

- 1) Local communities may apply for the right to sustainable use of biological resources for subsistence, cultural, spiritual, heritage or religious purposes.
- 2) An authorisation for use of biological resources pursuant to Article 21, may include conditions relating to—
 - a) the land or water area and demarcation of this area within which the use of the biological resources is granted;
 - b) the period for which the right is granted;
 - c) overnighting in the Park;
 - d) the limits to the use of the biological resources;
 - e) monitoring, reporting and recording resource use;
 - f) prohibited species;

- g) designated points of entering and existing the Park;
 - h) access to the designated land or water area within which the use of the biological resources is granted;
 - i) restrictions relating to vehicles, structures, machinery or equipment;
 - j) cancellation of an authorisation;
 - k) any fees payable;
 - l) any licencing requirements.
- 3) The holder of a right contemplated in subregulation (2), shall not allow, permit or cause any environmental damage, not otherwise normally associated with the sustainable use of biological resources, except with the prior written permission of Park Management.

ARTICLE 20 Overnighting

No person shall stay overnight in the Park-

- a) without the necessary access permission or authorisaiton by Park Management as set out in Section II and Article 21;
- b) without payment of the applicable fees as determined by Park Management;
- c) without having first reported to the designated reception office in the Park or to an authorised official assigned to perform escort duty;
- d) where no accommodation has been reserved or is available for that person;
- e) at any place other than a place designated by Park Management.

ARTICLE 21 (Authorisations)

A person who is required to be authorised for any activity or development in terms of this Regulation shall apply to Park Management, or any other relevant authority, for such authorisation in compliance with the procedures, format and required information as set out in relevant laws and regulations and as may be determined by Park Management.

SECTION IV **Zonation**

ARTICLE 22 (General to all zones)

- 1) Proposals for any activity or development that are not generally prohibited by this Regulation (Article 7) and not listed in any of the zones of this Section, may be submitted to Park Management for consideration and may be subject to authorisatoin in terms of Article 21.
- 2) Visitors and users of the Park shall ascertain what the authorisation requirements are before undertaking any activity or development in the Park.
- 3) Unless permitted in Article 26, access to and use of inland freshwater lakes are prohibited.
- 4) Where Park Management finds deterioration and over exploitation of any of the freshwater lakes where use is permitted, it can prohibit resource and leisure use of such lakes or parts thereof for an undetermined period.
- 5) The zonation plan, attached as Annex III, forms an integral part of this Regulation.
- 6) The marine zones are described from the high-water mark 1NM seawards within the Bay of Maputo and from the most northern point of Inhaca Island southwards, 3NM seawards.

ARTICLE 23 (Terrestrial Total Protection Areas)

- 1) There are two Terrestrial Total Protection Areas in the Park including-
 - a) the low lying seasonally flooded northern areas adjacent to Maputo Bay, bordering on the Maputo River in the west and the edge of the flooded floodplain area close to Tsholombane in the east. For the most part, the terrestrial Total Protection Area follows a 0.5km buffer on the most northern 4x4 tracks from the western boundary of the park south east of Massuane;
 - b) the eastern portion of Lake Piti.
- 2) The following activities are permitted with prior Park Management authorisation:
 - a) Overflight or use of any aircraft below 2,000ft;
 - b) Small, guided, special interest tours and events.
 - c) No tourist -development or resource harvesting of any kind is permitted in these zones: Special arrangements relating to Resident Communities apply as set out in Article 18.

ARTICLE 24 (Marine Total Protection Areas)

- 1) The marine Total Protection Areas in the Park include-
 - a) Techobanine reef north of Ponta Techobanine and the beach along this reef from -26.67015 to -26.552509 and 3NM seaward;
 - b) the Bembi River estuary (-26.257198 to -26.26027);
 - c) the Red Barrier reef (-26.003237 to -26.038364);
 - d) Ponta Torres reef (-26.062197).
- 2) Non-commercial, non-consumptive and non-motorised activities including the following are allowed without authorisation but for which entry conditions have been complied with -
 - a) walking on the beach;
 - b) cycling;
 - c) swimming;
 - d) surfing
 - e) kayaking.
- 3) The following activities are permitted subject to prior authorisation as determined by Park Management-
 - a) walking on the beach with artificial light between sunset and sunrise in Turtle Nesting Season;
 - b) snorkelling;
 - c) horseback riding;
 - d) access to the coastal Dune Cordon;
 - e) small, guided, special interest tours and events.

- 4) The following activities are prohibited-
- a) any form of extractive resource use including fossicking;
 - b) any form of motorised boating;
 - c) scuba diving;
 - d) kite and wind surfing.

ARTICLE 25 (Tourism Development Area)

Tourism Development Areas are nodal sites where ecotourism concession opportunities may be undertaken within the Park pursuant to authorisation by Park Management: These sites are located at the following broad geographical locations-

- a) West of the N1 and Futi Gate;
- b) Tip Chemucane;
- c) Membene Point;
- d) Milibangalala Point;
- e) Ponta Dobela;
- f) Lake Nela;
- g) Xinguti Lake;
- h) Plains Elephants;
- i) the southern end of the Futi corridor.

ARTICLE 26 (Terrestrial Controlled Use Areas)

- 1) The Park has four terrestrial Controlled Use Areas (hereinafter CUA) broadly located in the following areas-
- a) CUA-t1 which is located north of the Spine Road south of the total protection area, and the Futi corridor;
 - b) CUA-t2, CUA-t3, and CUA-t4 which are all found south of the Spine Road and over the breadth of the Park.
- 2) In CUA-t1, which is a zone for Low Intensity Visitor Use-
- a) walking in designated areas within Tourism Development Areas and around Park managed facilities is allowed without authorisation;
 - b) the following is permitted subject to prior authorisation as determined by Park Management-
 - i) low density tourism infrastructure development within the Tourism Development Area;
 - ii) guided adventure activities including hiking and horseback riding;
 - iii) guided game drives by 4x4 vehicles;
 - iv) self-drive on 4x4 trails by 4x4 vehicles only on designated roads and tracks;
 - v) filming and commercial photography;
 - vi) special events;

- vii) non-extractive recreational fishing in freshwater lakes or rivers;
 - c) the following is prohibited-
 - i) any form of extractive resource harvesting in the freshwater lakes and rivers;
 - ii) use of Overland Trucks.
- 3) In CUA-t2 which is a zone for High Intensity Visitor Use-
- a) the following is allowed without authorisation-
 - i) walking in designated areas within Tourism Development Areas and around Park managed facilities;
 - ii) self-drive for game viewing in designated roads and tracks by 4x4 vehicles only;
 - iii) self-drive for transit on the Spine Road: Local community members are allowed to use 2x4 vehicles although not advisable;
 - iv) the use of Overland Trucks in designated areas;
 - b) the following guided activities are permitted subject to prior authorisation as determined by Park Management-
 - i) adventure activities such as hiking, horseback riding and cycling;
 - ii) the use of non-and motorised watercraft;
 - iii) game drives using 4x4 vehicles only;
 - c) the following are permitted subject to prior authorisation as determined by Park Management-
 - i) low, medium and high density tourism infrastructure development;
 - ii) filming and commercial photography;
 - iii) special events;
 - iv) non-extractive recreational fishing in freshwater lakes or rivers;
 - v) subsistence fishing, sedge grass and reed harvesting from Lake Xinguti.
- 4) In CUA-t3 which is a zone for Medium Intensity Visitor Use-
- a) the following are allowed without authorisation-
 - i) walking in designated areas within Tourism Development Areas and around Park managed facilities;
 - ii) self-drive game viewing in designated areas by 4x4 vehicles only on designated roads and tracks;
 - iii) self-drive for transit on the Spine Road: Local community members are allowed to use 2x4 vehicles although not advisable;
 - iv) the use of Overland Trucks in designated areas;
 - b) the following guided activities are permitted subject to prior authorisation as determined by Park Management-
 - i) adventure activities such as hiking, horseback riding and cycling;
 - ii) the use of non-and motorised watercraft;
 - iii) game drives using 4x4 vehicles only;
 - c) the following are permitted subject to prior authorisation as determined by Park Management-

- i) low and medium density tourism infrastructure development;
 - ii) filming and commercial photography;
 - iii) special events;
 - iv) non-extractive recreational fishing in freshwater lakes or rivers;
 - v) subsistence fishing, sedge grass and reed harvesting from Lake Xinguti;
- d) any form of resource harvesting from Lake Nela is prohibited.
- 5) CUA-t4 is intended for Low Intensity Use-
- a) activities along the coast from these nodes will be regulated according to the marine zonation;
 - b) the following are allowed without authorisation-
 - i) walking in designated areas within Tourism Development Areas and around Park managed facilities;
 - ii) game viewing in designated areas using 4x4 vehicles only;
 - iii) self-drive for transit on the Spine Road: Local community members are allowed to use 2x4 vehicles although not advisable;
 - iv) the use of Overland Trucks in designated areas;
 - c) the following guided activities are permitted subject to prior authorisation as determined by Park Management-
 - i) adventure activities such as hiking, horseback riding and cycling;
 - ii) the use of non-and motorised watercraft;
 - iii) game drives using 4x4 vehicles only;
 - d) the following are permitted subject to prior authorisation as determined by Park Management-
 - i) low to medium density tourism infrastructure development;
 - ii) filming and commercial photography;
 - iii) special events;
 - iv) non-extractive recreational fishing in freshwater lakes or rivers;
 - v) subsistence fishing, sedge grass and reed harvesting from Lakes Chemucane, Munde, Piti and Zuali.

ARTICLE 27 (Marine CUAs)

- 1) Two marine CUAs exist in the Park.
- a) CUA-m1 which refers to two areas:
 - i) From south of Ponta Mucombo up to about 5km south of Ponta Dobela (26.250921 to -26.552509 and 3NM seaward)
 - ii) From approximately 2km north of Ponta Techobanine to the South African border (-26.67015 to -26.859341 and 3NM seaward). These zones will be demarcated on the beach with markers.
 - b) CUA-m2 referring to the area north of Ponta Mucombo (Machangulo Peninsula) around the Inhaca Archipelago following the coast to the mouth of the Maputo River.

2) In CUA-m1-

- a) the following non-commercial activities are allowed without prior authorisation but for which entry conditions have been complied with-
 - i) harvesting of intertidal organisms and invertebrates for subsistence purposes;
 - ii) walking on beaches and rocks: if walking at night, only long wavelength light (ranging from 590 to 750nm in length) may be used during Turtle Nesting Season;
 - iii) access to the coastal Dune Cordon;
 - iv) non-extractive fossicking;
 - i) cycling;
 - ii) swimming;
 - iii) snorkelling when accessing the sea from the beach on foot;
 - iv) surfing;
 - v) kite and windsurfing;
 - vi) kayaking;
 - vii) launching of boats from recognised boat-launching areas.
- b) the following are permitted subject to prior authorisation as determined by Park Management-
 - i) horseback riding;
 - i) harvesting of intertidal organisms and invertebrates for recreational purposes;
 - ii) snorkelling from a vessel;
 - iii) snorkelling on a reef;
 - iv) scuba diving;
 - v) recreational fishing of pelagic species only;
 - vi) recreational spear fishing of pelagic species only;
 - vii) use of jetskis for fishing only;
 - viii) use of motorised vessels;
 - ix) special interest tours and events;
 - x) subsistence invertebrate harvesting from designated areas;
- b) the following are prohibited-
 - i) Artisanal Fishing;
 - ii) anchoring;
 - iii) access to Pinnacles Reef during the period 1 October to 1 March;
 - iv) fishing on Baixo São João reef at any time.

2) In CUA-m2-

- a) the following are allowed without authorisation but for which entry conditions have been complied with-
 - i) anchoring in the Bay in designated areas;

- ii) harvesting of intertidal organisms and invertebrates for subsistence purposes;
 - iii) walking on beaches and rocks: if walking at night, only long wavelength light (ranging from 590 to 750nm in length) may be used during Turtle Nesting Season;
 - iv) access to the coastal Dune Cordon;
 - v) non-extractive fossicking;
 - vi) cycling;
 - vii) swimming;
 - viii) snorkelling when accessing the sea from the beach on foot;
 - ix) surfing;
 - x) kite and wind-surfing;
 - xi) kayaking;
 - xii) launching of boats from recognised boat-launching areas;
- b) the following are permitted subject to prior authorisation as determined by Park Management-
- i) local Artisanal Fishing;
 - ii) harvesting of intertidal organisms and invertebrates for recreational purposes;
 - iii) horseback riding;
 - iv) snorkelling from a vessel;
 - v) snorkelling on a reef;
 - vi) scuba diving;
 - vii) recreational fishing of pelagic species only;
 - viii) recreational spear fishing of pelagic species only;
 - ix) use of jetskis for fishing only;
 - x) use of motorised vessels;
 - xi) special interest tours and events.
- c) the following are prohibited-
- i) between Inhaca and Portuguese Islands, trawling and the use of gillnets;
 - ii) between Inhaca Island and Machangulo Peninsula, use of gillnets and any Improved Fishing Gear.

CHAPTER IV **Offences and penalties**

ARTICLE 28 (Offences)

An offence constitutes the following:

- a) Any contravention or failure to comply with:
 - i) any provisions of this Regulation;
 - ii) any Park notice, signage or other document issued or displayed in terms of this Regulation;

- iii) any lawful instruction given in terms of this Regulation;
- iv) a condition mentioned in an authorisation issued or agreement entered into in terms of this Regulation;
- b) Any person obstructing or hindering any authorised official in the execution of his/her duties under this Regulation.

ARTICLE 29 (Instruments)

- 1) Without prejudice to criminal liability, the violation of the rules contained in this Regulation shall be punishable by the following penalties:
 - a) Warning;
 - b) Expulsion from the Park;
 - c) Prohibition of access to the Park;
 - d) Fines.
- 2) Depending on its severity, the relevant criminal proceedings may be instituted in collaboration with the justice institutions.

ARTICLE 30 (Warning)

- 1) Anyone who infringes the following provisions of this Regulation shall be subject to a warning-
 - a) Article 6 subregulation (2) subparagraphs (b); (c); (f); (g); (q)(ii), (viii) and (x) and (r)(x);
 - b) Article 13;
 - c) Article 18 subregulation (3), (4) and (6);
 - d) Articles 20 and 21.
- 2) If the offences referred to in subregulation (1) are repeated, the penalty of expulsion shall apply.

ARTICLE 31 (Expulsion from the Park)

- 1) Park Management may compel and oblige any visitor to leave the Park if that person infringes the following provisions of this Regulation or when disciplinary or other justified reasons so advise-
 - a) Article 6 subregulation (2) subparagraphs (a)(i) and (ii); (d); (e) and (q)(vii);
 - b) Article 7 subregulation (1);
 - c) Article 8 subregulation (1) and subregulation (2) subparagraphs (2)(a); (b); (d) and (e) and subregulation (3);
 - d) Article 9 subregulation (1);
 - e) Articles 10 - 13;
 - f) Article 18 subregulation (10);
 - g) Articles 20 and 21.

- 2) An authorised official may, in addition to any further action that may be taken and /or penalty that may be imposed, withdraw any permission granted in terms of this Regulation and request such person to leave the Park, whereupon that person shall leave the Park within a fixed time and by the shortest route open to the public.
- 3) Where any person is requested to leave the Park as contemplated in subregulation (1), the holder of any proof of entry authorising that person to enter into or be in the Park shall on demand, hand over the proof of entry to the official concerned, who shall withdraw the permission to enter and record the place and date of such withdrawal by endorsement on the said documents.
- 4) In addition to any other penalty that may be imposed, all money already paid to Park Management by the person contemplated in subregulation (1) to enter or be in the Park shall be forfeited to Park Management on withdrawal of the permission to enter.

ARTICLE 32 (Prohibition of access)

- 1) Anyone who infringes the following provisions of this Regulation shall be prohibited from re-entering the Park-
 - a) Article 6 subregulation (2) subparagraphs (a)(i); (e); (h); (q)(i), (iv) and (v); and (r)(viii) and (ix);
 - b) Article 8 subregulation (1) and subregulation (2) subparagraphs (a); (b); (d) and (e);
 - c) Article 21.
- 2) It is up to the Park Management to determine the period of time during which said interdiction will be imposed.

ARTICLE 33 (Fines)

- 1) The application of fines complies with the offences and penalties provided for in Article 54 of Law No. 16/2014 of 20 June, amended and republished by Law No. 5/2017 of 11 May, Law on the Protection, Conservation and Sustainable Use of Biological Diversity and any other law in force in the Republic of Mozambique.
- 2) For the purposes of this Regulation, these offences constitute in particular situations of disturbance to natural resources, in accordance with paragraph 2(e), Article 54 of Law No. 16/2014 of 20 June, and relate to the following provisions of this Regulation:
 - a) Article 6 subregulation (1) and subregulation (2) subparagraphs (a)(iii); (d); (i); (j)-(o); (q)(iii), (vi), (vii), (ix), (x) and (r)(i)-(vii) and (xi);
 - b) Article 7 subregulation (3);
 - c) Article 9 subregulation (1) and (2);
 - d) Articles 10 - 13;
 - e) Article 14 subregulations (2); (3) and (5);
 - f) Article 15 subregulation (1) subparagraphs (a) and (b) and subregulation (3);
 - g) Article 18 subregulation (3); (5)-(9); (11) and (12);
 - h) Article 21.

CHAPTER V **Final Provisions**

ARTICLE 34 (Complaints, suggestions and enquiries)

Complaints, suggestions and enquiries shall be submitted through means available for this purpose at the reception and entry points to the Park.

ARTICLE 35 (Doubts and omissions)

Doubts and omissions arising from the interpretation or application of this Regulation shall be clarified by an Order of the Minister in charge of Conservation Areas.

ANNEX I - GLOSSARY OF TERMS

In this Regulation, the following words and expressions shall, except where otherwise stated or are inconsistent with the context in which they appear, bear the following meanings and cognate expressions shall bear corresponding meanings:

- (1) **Aircraft** - an airplane, helicopter, hot air balloon or any other device capable of flight.
- (2) **Artisanal Fishing (Coastal)** – practiced between one (1) and 12 nautical miles with fishing vessels of up to 13 metres, with maximum power greater than 40 hp or 30 kw and equal to or less than 140 hp or 105 kw;
- (3) **Artisanal Fishing (Local)** – practiced (i) without a vessel: from the shore or anchorage up to a quarter of a nautical mile; (ii) with a vessel: from the baseline or anchorage up to three (30 nautical miles on daily fishing trips using or not mechanical means of propulsion, the main engine capacity is equal to or less than 40 hp or 30 kw;
- (4) **Bioprospecting** - a systematic and organised search for useful products derived from bioresources including plants, microorganisms, animals, etc., that can be developed further for commercialisation and overall benefits of the society.
- (5) **Bottom Fish** – any fish that feeds or lives near the bottom of the sea floor.
- (6) **Chumming** - the practice of luring various animals, usually fish such as sharks, by throwing bait consisting of fish parts, bone and blood into the water.
- (7) **Controlled Use Area** - an area in which sustainable activities and development may be allowed subject to specific rules or codes of conduct.
- (8) **Dune Cordon** – is the sand dune belt along the coast.
- (9) **Emergency** – is a sudden, unforeseen occurrence requiring action to protect lives or property.
- (10) **Fish** - any aquatic plant or animal whether piscine or not, and any mollusc, crustacean, coral, sponge, holothurian or other echinoderm, reptile and includes their eggs, larvae and all juvenile stages, but does not include sea birds, seals or any marine mammal.
- (11) **High Intensity Visitor Use** – where the maximum tourist numbers on site per day exceeds 300.
- (12) **High Density Tourism Infrastructure** - high numbers of accommodation units on a site usually limited to 30 to 60 tourist beds per hectare of current development area.
- (13) **Improved Fishing Gear** – any fishing gear that is harmful to the environment including electronic aids for identifying and tracking the movements of fish.
- (14) **Industrial Fishing** – practiced by fishing boats with length over 24 metres and with power greater than 350 hp or 254 kw.
- (15) **Low Intensity Visitor Use** - where the maximum tourist numbers on site per day are less than 100.
- (16) **Low Density Tourism Infrastructure** - few accommodation units on a site usually limited to 10 to 15 tourist beds per hectare of current development area.
- (17) **Management Plan** – a technical document that governs the use, development and management of the Park pursuant to Article 43 of the Law No. 5 / 2017 of 11 May, Law on the Protection, Conservation, and Sustainable Use of Biological Diversity (hereinafter the Law), and which is approved by the Minister of Land and Environment.
- (18) **Medium Intensity Visitor Use** - where the maximum tourist numbers on site per day are between 100 and 300.

- (19) **Medium Density Tourism Infrastructure** - modest number of accommodation units on a site usually limited to 16 to 30 tourist beds per hectare of actual development area.
- (20) **Non-commercial** - encompasses a wide range activities that does not in some sense involve commerce or incorporate a financial transaction.
- (21) **Overland Truck** – a custom built safari vehicle, often with a wider wheel base than normal 4x4 vehicles and can seat up to 30 passengers. These vehicles are usually equipped for self-sufficient camping, and have coach-style seating.
- (22) **Park Management** – the Park management authority, or any other person, acting as such on the written authorisation of the Minister, ANAC or the Park Supervisory Committee.
- (23) **Park Property** - any facility, structure, notice, signage, vehicle, vessel, Aircraft, apparatus or any other implement.
- (24) **Park Supervisory Committee** – an oversight Park management committee chaired by the Director General of ANAC and comprises representatives from MTA, the Provincial Directorate of Land and Environment, ANAC and Peace Parks Foundation and which is responsible for, amongst others, approving key strategic documentation.
- (25) **Pet** – a companion animal kept primarily for a person's company or entertainment, usually in or around a person's home, typically domesticated and cared for attentively and often affectionately. Pets are distinguished from animals raised for food or to perform useful tasks such as as a draft animal or a farm animal.
- (26) **Recreational Fishing** - fishing for leisure purposes and which is not deemed to be commercial fishing.
- (27) **Resident Communities** – local communities that are authorised to reside within the boundaries of the Park.
- (28) **Semi-industrial Fishing** – practiced by fishing boats with a length over 24 metres and with power greater than 350 hp or 254 kw.
- (29) **Scuba Diving** - means swimming below the surface of the water, with the aid of compressed or pumped air or other gasses.
- (30) **Spine Road** – the public road that traverses the Park between the Futi gate and Santa Maria.
- (31) **Snorkelling** – applies to activities using mask, snorkel and fins and is distinct from any diving in which compressed gas is used.
- (32) **Subsistence** - means any activity undertaken with elementary equipment and which guarantees the person undertaking the activity and his/her family with a basic livelihood and does not produce great commercial yields.
- (33) **Total Protection Area** - an area in which a higher degree of protection of natural resources is sought.
- (34) **Tourism Development Area** - an area in which ecotourism concessions may be foreseen.
- (35) **Turtle Nesting Season** – sea turtle nesting season starts from the beginning of October and lasts till end March.
- (36) **Vertical jig** - an artificial lure dropped, from a rod and reel on a boat, downwards and then repeatedly partially recovered in order to attract and hook fish.

ANNEX II – FISHERIES

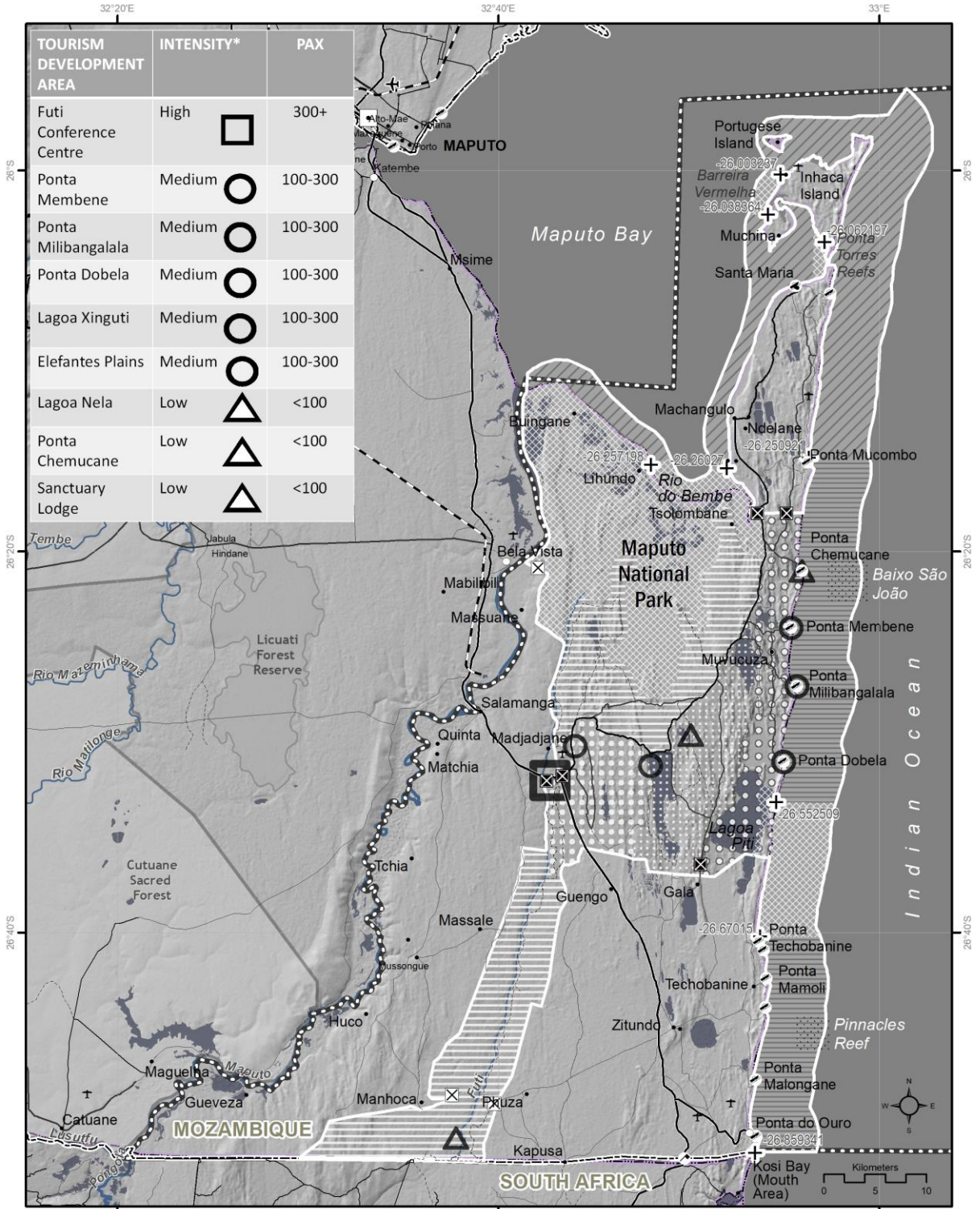
1) In the case of offshore boat fishing (including spear fishing):

- a) Only the following bony pelagic species may be caught and boated by recreational anglers within the Park-
 - i) *Scombridae* (Tuna and Mackerel spp);
 - ii) *Carangidae* (King Fish spp);
 - iii) *Pomatomidae* (Shad family);
 - iv) *Coryphaenidae* (Dorado);
 - v) *Rachycentridae* (Prodigal Son);
 - vi) *Istiophoridae* (Sailfish and Marlin spp);
 - vii) *Sphyraenidae* (Barracuda spp);
 - viii) *Xiphiidae* (Swordfish);
- b) Only a total of five fish may be captured per angler/spear fisher per day from fish species represented in (a)(i) above. Note that this is a combined total bag of all species (i.e. 2 x King Mackerel, 2 x Dorado and 1 x Queen Mackerel = daily bag);
- c) Pelagic cartilaginous fish (sharks and rays) from the families *Carcharinidae*, *Isuridae*, *Sphymidae*, *Alopiidae* and *Odontaspidae* may be caught but may not be boated or killed and shall be released immediately in an appropriate manner to ensure survivability of the fish;
- d) Any species of fish caught that do not belong to the families described in (a) to (c) above and are not required for food purposes, shall be released in an appropriate manner to ensure survivability of the fish;
- e) From 1 November to 30 March, targeting of the giant trevally (*Caranx ignobilis*) is not allowed within Park boundaries and all fish caught by accident should be immediately returned in an appropriate manner to ensure survivability of the fish;
- f) IIP line fish catch cards must be completed for all trips, even if no fish were caught.

2) In the case of shore, rock and surf angling - refer to the table below for restrictions placed on the capture of certain species-

Common Name	Family or Species	Bag Limit
All sharks and rays	<i>Elasmobranchs</i>	Sharks and Rays may be caught but may not be killed. Shall be released alive
Baardman/Tassel fish	<i>Umbrina robinsoni</i>	One fish per person per day
Catface rockcod	<i>Epinephelus andersoni</i>	One fish per person per day
Cave bass	<i>Dinoperca petersi</i>	One fish per person per day
River snapper	<i>Lutjanus argentimaculatus</i>	One fish per person per day
Speckled snapper	<i>Lutjanus rivulatus</i>	One fish per person per day
Dusky kob	<i>Argyrosomus japonicus</i>	One fish per person per day from shore
River breams	<i>Acanthopagrus berda & vagus</i>	One fish per person per day

ANNEX III - ZONATION PLAN

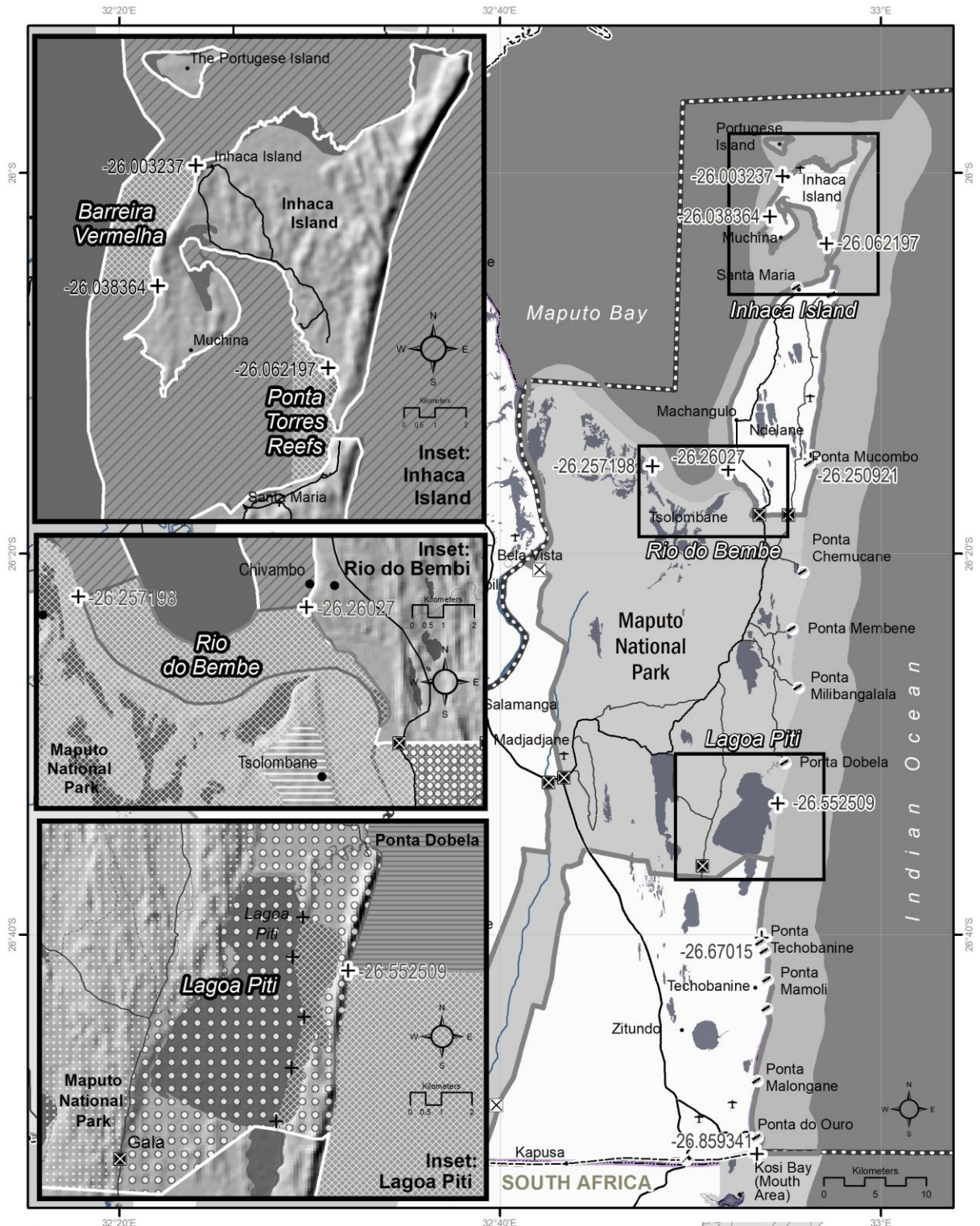


TOURISM DEVELOPMENT AREA	INTENSITY*	PAX
Futi Conference Centre	High	300+
Ponta Membene	Medium	100-300
Ponta Milibangalala	Medium	100-300
Ponta Dobela	Medium	100-300
Lagoa Xinguti	Medium	100-300
Elefantes Plains	Medium	100-300
Lagoa Nela	Low	<100
Ponta Chemucane	Low	<100
Sanctuary Lodge	Low	<100

Zoning

- CUA - t1 (Terrestrial)
- CUA - t4 (Terrestrial)
- TPA (Marine & Terrestrial)
- CUA - t2 (Terrestrial)
- CUA - m1 (Marine)
- Specific Reefs
- CUA - t3 (Terrestrial)
- CUA - m2 (Marine)
- Zoning beacon latitude coordinate

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Zoning

- | | | | |
|--|------------------------|---|-----------------------------------|
| | CUA - t1 (Terrestrial) | | CUA - m1 (Marine) |
| | CUA - t2 (Terrestrial) | | CUA - m2 (Marine) |
| | CUA - t3 (Terrestrial) | | TPA (Marine & Terrestrial) |
| | CUA - t4 (Terrestrial) | + | Zoning beacon latitude coordinate |

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