



**FALKLAND ISLANDS**

**THE ANTARCTIC ACT 1994 & THE ANTARCTIC ACT 2013 AS MODIFIED  
AND EXTENDED TO THE FALKLAND ISLANDS BY THE ANTARCTIC ACT  
1994 (OVERSEAS TERRITORIES) ORDER 1995 (S.I. 1995/1030) AND THE  
ANTARCTIC ACT 1994 (OVERSEAS TERRITORIES) (AMENDMENT)  
ORDER 2015 (S.I. 2015/ 823) AND THE ANTARCTIC ACT 1994  
(OVERSEAS TERRITORIES) (AMENDMENT) ORDER 2017 (S.I. 2017/779)  
ANTARCTIC REGULATIONS – 1997 OF THE FALKLAND ISLANDS (S. R.  
& O. NO. 14 OF 1997)**

**Permit for activities under Section 5 of the Antarctic Act 1994**

**(No. 04/2022-23)**

**British Antarctic Survey**

FALKLAND ISLANDS

THE ANTARCTIC ACT 1994 & THE ANTARCTIC ACT 2013 AS MODIFIED AND EXTENDED TO THE FALKLAND ISLANDS BY THE ANTARCTIC ACT 1994 (OVERSEAS TERRITORIES) ORDER 1995 (S.I. 1995/1030) AND THE ANTARCTIC ACT 1994 (OVERSEAS TERRITORIES) (AMENDMENT) ORDER 2015 (S.I. 2015/ 823) AND THE ANTARCTIC ACT 1994 (OVERSEAS TERRITORIES) (AMENDMENT) ORDER 2017 (S.I. 2017/779)

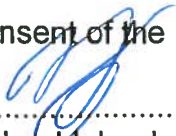
ANTARCTIC REGULATIONS – 1997 OF THE FALKLAND ISLANDS (S. R. & O. NO. 14 OF 1997)

Permit for British aircraft to enter Antarctica

This permit (No. 04/2022-23) granted under section 5 of the Antarctic Act 1994 (as amended by the Antarctic Act 2013) as modified and extended to the Falkland Islands by the Antarctic Act 1994 (Overseas Territories) Order 1995, the Antarctic Act 1994 (Overseas Territories) (Amendment) Order 2015 and the Antarctic Act 1994 (Overseas Territories) (Amendment) Order 2017 to **Professor Dame Jane Francis, the Director of the British Antarctic Survey (BAS) (“the permit holder”)** located at **High Cross, Madingley Road, Cambridge, CB3 0ET** as operator of the aircraft specified in Appendix I to this permit, authorises the said aircraft to enter Antarctica.

This permit is valid for the period from **1 October 2022** to **30 September 2027** and is subject to the conditions listed overleaf.

Signed with consent of the Secretary of State



ACTING

.....  
Governor, Falkland Islands

Dated 21 September 2022

Name and address of permitting authority:

HM Governor, Government House, Stanley, Falkland Islands

## **General Conditions**

1. This permit is not transferable.
2. This permit may be suspended or revoked at any time in accordance with Regulation 10 of the Antarctic Regulations 1997 of the Falkland Islands (S. R. & O. No. 14 of 1997)
3. This permit (or a true photocopy of it) shall be carried on board and shall be produced to any authorised person if so requested (see in Notes below).
4. The permit holder must ensure full compliance with the Protocol on Environmental Protection to the Antarctic Treaty. All activities undertaken under this permit must be conducted in a manner that is consistent with the requirements of the Protocol and in accordance with UK legislation.
5. The permit holder must ensure that all persons authorised under this permit familiarise themselves with and observe the requirements of the Antarctic Act 1994 and the Antarctic Act 2013 as modified and extended to the Falkland Islands by the Antarctic Act 1994 (Overseas Territories) Order 1995 (S.I.1995/1030), the Antarctic Act 1994 (Overseas Territories) (Amendment) Order 2015 (S.I. 2015/ 823) and the Antarctic Act 1994 (Overseas Territories) (Amendment) Order 2017 (S.I. 2017/779), and the Antarctic Regulations 1997 of the Falkland Islands (S. R. & O. No. 14 of 1997).
6. All other permits (or other authorisation) required by the Antarctic Act 1994 and the Antarctic Act 2013 shall be obtained before the aircraft enters Antarctica.
7. The permit holder is ultimately responsible for ensuring that the terms of this permit are strictly adhered to. It is a condition of this permit that the contents and undertakings contained in the application dated 19 August 2022 and supporting documents (Appendix II) must be complied with fully and at all times during the period that the expedition is in Antarctica.
8. Any issue or incident which could reasonably be considered a breach of permit conditions must be reported to the permitting authority as soon as possible upon discovery. Contacts are the Head or Deputy Head of the Polar Regions Department of the Foreign, Commonwealth & Development Office (FCDO), or out-of-hours through the Global Response Centre. The permitting authority may then request further information in relation to the incident before determining whether further action is required.

9. The aircraft shall not be used in Antarctica for any purpose other than that specified, except in a case of emergency relating to:
  - i) the safety of human life, vessel or aircraft;
  - ii) the safety of equipment and facilities of high value; or
  - iii) the protection of the environment.
10. All emergencies in Antarctica involving the aircraft covered by this permit must be reported to the FCDO, by the permit holder as soon as reasonably practicable, and in any event, within 24 hours of having become aware of the emergency arising.
11. If at any time while a specified aircraft is in Antarctica it, for whatever reason, ceases to be in a condition in which it can operate safely in accordance with ICAO standards the permit holder shall inform the FCDO immediately and the aircraft shall not take off unless and until the permitting authority has so authorised.
12. If any permit, authorisation or certificate which is required for the lawful operation of a specified aircraft is suspended, revoked or expires while the aircraft is in Antarctica the aircraft shall not take off unless and until the permitting authority so authorises.
13. The passenger carrying capacity of the aircraft shall not be exceeded except in a case of emergency of the type relating to the safety of human life or of a ship or aircraft or equipment and facilities of high value or to the protection of the environment.
14. Traffic Information Broadcasts by Aircraft (TIBA) shall be used in accordance with the TIBA requirements set out in the Antarctic Flight Information Manual (AFIM).

## Specific Conditions

1. The operation of the aircraft in Antarctica must be in line with Standard Operating Procedures, as submitted as part of the permit application, unless stricter conditions are listed in the permit itself.
2. The aircraft must comply with all itinerary and routing information previously provided to the FCDO, as provided under permit No. 03/2022-2023. Any significant changes to these itineraries shall be immediately notified by the permit holder to the FCDO. Such changes, if approved by the permitting authority, will amend Appendix II of permit No. 03/2022-2023.
3. Aircraft itineraries should be planned to ensure safe operations, backed-up with self-sufficient contingency and search and rescue plans. The aircraft may not operate in locations remote from operational stations in isolation, unless other adequate back-up arrangements have been made.
4. The permit holder must submit to the FCDO air worthiness certificates and any changes to insurance policies relating to the specified aircraft by **30 September** in advance of each year for which the permit is valid, i.e. 2022 to 2026.
5. All wastes produced in flight or while a specified aircraft is on the ground must be removed in accordance with the waste disposal Specific Conditions of the permit reference No. 03/2022-2023.
6. Refuelling of the specified aircraft must be carried out so as to avoid loss or spillage of fuel. In accordance with Specific Condition (y) of permit reference No. 03/2022-2023, the permit holder must ensure that all fuel-spill response training procedures are reviewed, and adequate training of all relevant personnel carried out, on a regular basis.
7. The over-flight of protectively managed areas in Antarctica must be in accordance with the Management Plans for those areas. Specific over-flight height restrictions detailed in the Management Plans must be observed at all times.
8. The specified aircraft must not be flown in a manner that would unnecessarily disturb wildlife concentrations in Antarctica and must be flown in a manner that is in line with aviation guidelines. The aircraft should comply with the Guidelines for the Operation of Aircraft near Concentrations of Birds in Antarctica, as appended to ATCM Resolution 2(2004), except in the case of an emergency of the type listed in General Condition 9 above. This includes, inter alia, that in operating the aircraft, the permit holder must:
  - a) avoid over-flying at a height of less than 2,000 feet above ground level penguin, albatross and other bird colonies;

- b) avoid hovering or making repeated passes over wildlife concentrations or flying lower than necessary;
- c) maintain a vertical separation distance of 2,000 feet above ground level and a horizontal separation of a quarter of a nautical mile from the coastline, except when landing;
- d) cross coastlines at right angles and with a height of at least 2,000 feet above ground level; and
- e) if wildlife disturbance is observed at any separation distance, a great distance should be maintained wherever practical.

9. Hazardous materials, including fuel, must only be carried on the specified aircraft inside fully sealed purpose-built containers.
10. The permit holder shall take due account of acceptable minimum standards for safe operations. In particular, the aircraft must have adequate special emergency equipment and procedures in place for operating in Antarctica. These must include sufficient Antarctic survival equipment on board for all pilots and passengers that is adequate for use on both land and sea, and adequate routine and emergency communication equipment and procedures for the Antarctic. This specifically includes formalised communication reporting schedules.
11. In the event that the aircraft cannot depart Antarctica for whatever reason, all necessary actions must be taken by the permit holder to ensure the removal of the aircraft or its remains (whether feasible in whole or in parts) from Antarctica safely and securely and without any avoidable impacts on the Antarctic environment.

## Notes pertaining to the Conditions of this permit

1. Any entry to Antarctica, other than in accordance with the authorisation granted by this or any other permit granted under the Act (or written authorisation of another State party to the 1991 Environmental Protocol to the Antarctic Treaty), or any breach of the conditions of this permit, may lead to suspension or revocation of the permit in accordance with the provisions of the Antarctic Regulations 1997 of the Falkland Islands (S. R. & O. No. 14 of 1997), and is punishable as an offence under section 5(4) or section 13(2) of the Antarctic Act 1994 as modified and extended to the Falkland Islands, for which the maximum penalty is **imprisonment or a fine** or both.
2. Persons authorised to require production of this permit in Antarctica are listed in Regulation 9(5) of the Antarctic Regulations 1997 of the Falkland Islands, and include a magistrate, or public officer of the British Antarctic Territory, a station leader of the British Antarctic Survey, an Antarctic Treaty Observer or a British naval officer.
3. "Antarctica" means all land, sea and ice-shelves, and the airspace above them, south of 60° South latitude.

## APPENDIX I

**THE ANTARCTIC ACT 1994 AND THE ANTARCTIC ACT 2013 AS MODIFIED AND EXTENDED TO THE FALKLAND ISLANDS BY THE ANTARCTIC ACT 1994 (OVERSEAS TERRITORIES) ORDER 1995 (S.I. 1995/1030), THE ANTARCTIC ACT 1994 (OVERSEAS TERRITORIES) (AMENDMENT) ORDER 2015 (S.I. 2015/ 823) AND THE ANTARCTIC ACT 1994 (OVERSEAS TERRITORIES) (AMENDMENT) ORDER 2017 (S.I. 2017/779)**

**ANTARCTIC REGULATIONS – 1997 OF THE FALKLAND ISLANDS (S. R. & O. NO. 14 OF 1997)**

### Aircraft Details

Permit Number: No. 04/2022-2023

#### Specified Aircraft:

Registration mark	VP-FAZ
Aircraft Type	De Havilland Canada Twin Otter (DHC-6)
Aircraft Serial Number	748

Registration mark	VP-FBB
Aircraft Type	De Havilland Canada Twin Otter (DHC-6)
Aircraft Serial Number	783

Registration mark	VP-FBL
Aircraft Type	De Havilland Canada Twin Otter (DHC-6)
Aircraft Serial Number	839

Registration mark	VP-FBC
Aircraft Type	De Havilland Canada Twin Otter (DHC-6)
Aircraft Serial Number	787

Registration mark	VP-FBQ
Aircraft Type	De Havilland Canada Dash - 7 (DHC-7)
Aircraft Serial Number	111

**Purpose:** Logistical and scientific support for activities by the British Antarctic Survey (BAS) in Antarctica, authorised under permit reference No. 03/2022-2023 issued on behalf of the Secretary of State to the Director of BAS under Sections 3, 4, 5, 6, 7, 8, 9 and 10 of the Antarctic Act 1994 (United Kingdom).



## **APPENDIX II**

### **APPLICATION AND SUPPORTING DOCUMENTS**

- Email of 22 August 2022 containing:
  - Expedition Permit Application Form
  - Permit renewal letter

