



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), 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. 05/2022-2023)

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), 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 a British vessel to enter Antarctica

This permit (No. 05/2022-2023) 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**, authorises the **RRS Sir David Attenborough (“the vessel”)** specified in Appendix I, to enter Antarctica.

This permit is valid for the period **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 22 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), the ship's Polar Code Certificate and Polar Water Operational Manual (if held) and all applicable documents as required to be carried on board ships as listed in Annex 1 to the International Convention for the Safety of Life at Sea shall be carried on board the vessel or by the permit holder. The Master of the vessel, or such person delegated by him, shall, if so requested, produce this permit (or a true photocopy of it) and the originals of these documents to any authorised person (see in Notes paragraph 4 below). If any of these certificates or documents which are otherwise required for the lawful operation of the vessel, are suspended, revoked or expire before the vessel reaches, or while the vessel is in, Antarctica, the operator shall inform the Foreign, Commonwealth & Development Office (FCDO) immediately, and the vessel shall not proceed unless and until the FCDO so authorises and in accordance with such directions as it may give, which may include a direction to leave, or not to enter, Antarctica.
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. 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 III) must be complied with fully and at all times during the period that the expedition is in Antarctica.
7. The vessel must comply with all itinerary and routing information previously provided to the FCDO, as provided under permit 03/2022-2023. Any significant changes to these itineraries shall be immediately notified

by the permit holder to the FCDO. Such changes, if approved, will amend Appendix II of permit 03/2022-2023.

8. This permit does not allow the vessel to enter any Antarctic Specially Protected Area (ASPA) as defined under the terms of the Antarctic Treaty. However, where transit is permitted under the management plan for a particular ASPA, this permit amounts to authorisation under Section 12 of the Antarctic Act for the vessel to enter that particular ASPA for the purpose of transit. Entry to any Antarctic Specially Managed Area (ASMA) must follow the published Management Plan for that Area. Details of all ASPAs and ASMAs can be found on the Antarctic Treaty Secretariat website <https://www.ats.aq/e/protected.html>.
9. All personnel should also familiarise themselves with the general and site-specific visitor site guidelines that have been adopted by the Antarctic Treaty Parties. Any activity conducted by the crew or passengers must follow these guidelines where not directly undertaking or supporting scientific research.
10. All crew and passengers must observe the relevant Antarctic Treaty rules on protection of fauna and flora and ensure that the necessary minimum distances from wildlife are maintained. All necessary precautions must be taken to avoid the introduction or transfer of non-native species into Antarctica.
11. To minimise the risk of a potential bird strike, every effort should be made to block out non-essential light visible on outer decks during the hours of darkness.
12. The vessel shall comply at all times with the requirements of the law of the Falkland Islands relating to merchant shipping. Adequate insurance for the vessel must also be in place for the duration of the expedition.
13. The operator(s) of the vessel shall take due account of acceptable minimum standards for safe operations.
14. All other permits (or other authorisation) required by the Antarctic Act 1994 and the Antarctic Act 2013 shall be obtained before the vessel enters Antarctica.
15. The provisions of Appendix II shall be strictly complied with. However, an exception may be made in cases of emergency relating to the safety of human life or of ships, aircraft or equipment and facilities of high value or to the protection of the environment. Notice of activities undertaken in case of emergency must be communicated immediately to the FCDO.
16. If at any time while the vessel is in Antarctica, for whatever reason, it ceases to be in a condition in which it can comply with the other conditions of this permit the permit holder shall inform the FCDO immediately.

Thereafter, the vessel shall proceed in accordance with such directions as the FCDO may give, which may include a direction to leave Antarctica.

17. 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 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.
18. The vessel 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.
19. All emergencies in Antarctica involving the vessel 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 having become aware of the emergency arising.
20. In the event that the vessel cannot depart Antarctica for whatever reason, all necessary actions must be taken by the permit holder to ensure the removal of the vessel or its remains (whether feasible or in whole parts) from Antarctica safely and securely and without any avoidable impacts on the Antarctic environment.
21. The vessel must have adequate routine and emergency communication equipment and procedures for the Antarctic. This specifically includes formalised communication reporting schedules.
22. The vessel must have adequate special emergency equipment and procedures in place for Antarctica. These must include formalised search and rescue arrangements, as well as sufficient Antarctic survival equipment for both land and sea. Any changes to logistical support or arrangements for search and rescue and medical evacuation shall be communicated immediately to the FCDO.
23. The passenger carrying capacity of the vessel shall not be exceeded except in a case of an emergency relating to the safety of human life or of ship or aircraft or equipment and facilities of high value or to the protection of the environment.
24. The vessel shall not take-on fuel in Antarctica, but may pass fuel ashore at BAS Research Stations/Coastal Offload Sites (noting Special Condition 1).

Specific Conditions

1. Fuel oil transfer at stations must be carried out in accordance with the Council of Managers of National Antarctic Programs (COMNAP) recommended procedures for fuel oil transfer at stations.

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)

Vessel Details

Permit Number: No. 05/2022-2023

Specified Vessel

1. **Registered name** RRS *Sir David Attenborough*
2. **IMO number** 9798222
3. **Vessel type** Royal Research Ship
4. **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

WASTE DISPOSAL, WASTE MANAGEMENT AND PREVENTION OF MARINE POLLUTION

Rule 1

Application

This Appendix applies at all times whilst the vessel is in Antarctica.

Rule 2

Waste Disposal by Removal from Antarctica

The following wastes must be removed from Antarctica, if generated by the vessel:

- (a) radio-active materials;
- (b) electrical batteries;
- (c) fuel, both liquid and solid;
- (d) wastes containing harmful levels of heavy metals or acutely toxic or harmful persistent compounds;
- (e) poly-vinyl chloride (PVC), polyurethane foam, polystyrene foam, rubber and lubricating oils, treated timbers and other products which contain additives that could produce harmful emissions if incinerated;
- (f) all other plastic wastes, except low density polyethylene containers (such as bags for storing wastes), provided that such containers are incinerated in accordance with Rule 6 below;
- (g) fuel drums;
- (h) other solid, non-combustible wastes.

The following wastes must also be removed from Antarctica unless incinerated, autoclaved or otherwise treated to be made sterile:

- (a) residues of carcasses of imported animals;
- (b) laboratory culture of micro-organisms and plant pathogens;
- (c) introduced avian products.

Rule 3

Discharge of noxious liquid substances

In addition to any noxious liquid substances (as listed in Appendix II to Annex II of MARPOL¹), the discharge of any other chemicals or other substances, in quantities or concentrations that are harmful to the marine environment is prohibited.

Rule 4

Disposal of Garbage

The disposal into the sea of all garbage, including paper products, rags, glass, metal, bottles, crockery, timber, dunnage, lining and packing materials, is prohibited.

The disposal into the sea of food wastes may be permitted when they have been passed through a comminuter or grinder, provided that such disposal shall, except in cases permitted under Annex V of MARPOL be made as far as practicable from land and ice shelves but in any case not less than 12 nautical miles from the nearest land or ice shelf. Such comminuted or ground food wastes must be capable of passing through a screen with openings no greater than 25 millimetres.

Rule 5

Disposal of Sewage

The discharge into the sea of untreated sewage ("sewage" being defined in Annex IV of MARPOL) within 12 nautical miles of land or ice shelves is prohibited. Beyond such distance, sewage stored in a holding tank must not be discharged instantaneously but at a moderate rate and, where practicable, while the ship is en-route at a speed of no less than 4 knots.

This paragraph does not apply to ships certified to carry not more than 10 persons.

¹ MARPOL refers to MARPOL 73/78 and means the International Convention for the Prevention of Pollution from Ships, 1973, as amended by the Protocol of 1978 relating thereto and by any other amendment in force thereafter.

Rule 6

Waste Disposal by Incineration

Wastes, which are not dealt with under Rules 2, 3, 4 and 5 above, must be burnt in incinerators which to the maximum extent practicable reduce harmful emissions. The solid residue of such incineration must be removed from Antarctica. Shipboard incinerators are to be designed, constructed, operated and maintained in accordance with the appropriate IMO standards.

Rule 7

Other Waste Disposal

Wastes generated at research stations and field camps and taken on board the vessel for disposal must also be dealt with in accordance with this Appendix.

Rule 8

Storage of Waste

All wastes to be removed from Antarctica, or otherwise disposed of, must be stored on board the vessel in such a way as to prevent their dispersal into the environment.

Rule 9

Prohibited Products

It is prohibited for the vessel to introduce onto land or ice shelves or into water in Antarctica polychlorinated biphenyls (PCBs), non-sterile soil, polystyrene beads, chips or similar forms of packaging, or pesticides (other than those required for scientific, medical or hygiene purposes) onto land or ice shelves or into water in Antarctica.

Rule 10

Management Practices

The permit holder must ensure that:

- (a) all officers and crew receive training designed to limit the impact of their operations on the Antarctic environment and inform them of the requirements of this Appendix; and that

- (b) the use of poly-vinyl chloride (PVC) products is discouraged and any PVC products introduced into Antarctica must be removed subsequently in accordance with this Appendix.

APPENDIX III

APPLICATION AND SUPPORTING DOCUMENTS

- Email of 22 August 2022 'BAS Permits', including:
 - Expedition Permit Application Form
 - Permit Renewal Letter

