

1989 No. 1993

SOUTH ATLANTIC TERRITORIES

The Falkland Islands (Territorial Sea) Order 1989

Made - - - - - 1st November 1989

Coming into force 1st January 1990

At the Court at Buckingham Palace, the 1st day of November 1989

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of the powers conferred upon Her by the Colonial Boundaries Act 1895(a) and all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1. This Order may be cited as the Falkland Islands (Territorial Sea) Order 1989 and shall come into force on 1st January 1990.

2. The boundaries of the Colony of the Falkland Islands are hereby extended to include, as territorial sea, that part of the sea which is situated within 12 nautical miles measured from the baselines as established by article 3 of this Order, together with the seabed of the territorial sea and its subsoil.

3.—(1) Except as otherwise provided in paragraphs (2) to (4) of this article, the baseline from which the breadth of the territorial sea adjacent to the Falkland Islands is measured shall be the low-water line along the coast of all islands comprised in the Colony of the Falkland Islands.

(2) For the purposes of this article a low-tide elevation which lies wholly or partly within the breadth of sea which would be territorial sea if all low-tide elevations were disregarded for the purpose of the measurement of the breadth thereof and if paragraphs (3) and (4) of this article were omitted shall be treated as an island.

(3) The baseline from which the breadth of the territorial sea is measured between Cape Carysfort (East Falkland), Cape Percival (West Falkland) and MacBride Head (East Falkland) shall consist of the series of loxodromes drawn so as to join successively, in the order in which they are there set out, the points identified by the co-ordinates of latitude and longitude in the first column of the Schedule to this Order, each being a point situate on the low-water line on or adjacent to the feature named in the second column of that Schedule opposite to the co-ordinates of latitude and longitude of the point in the first column.

(4) The provisions of paragraph (3) of this article shall be without prejudice to the operation of paragraph (2) of this article in relation to any island or low-tide elevation which for the purposes of that paragraph is treated as if it were an island, being an island or low-tide elevation which lies to seaward of the baseline specified in paragraph (3) of this article.

(a) 1895 c.34.

4. In this Order—

- (a) "island" means a naturally formed area of land surrounded by water which is above water at mean high-water spring tides;
- (b) "low-tide elevation" means a naturally formed area of drying land surrounded by water which is below water at mean high-water spring tides; and
- (c) "nautical miles" means international nautical miles of 1,852 metres.

G. I. de Deney
Clerk of the Privy Council

SCHEDULE

Article 3

POINTS BETWEEN CAPE CARYSFORT (EAST FALKLAND), CAPE PERCIVAL (WEST FALKLAND) AND MACBRIDE HEAD (EAST FALKLAND) JOINED TO FORM THE BASELINES

	<i>Co-ordinates of latitude and longitude of Point</i>		<i>Name of Feature</i>
	<i>Latitude South</i>	<i>Longitude West</i>	
1.	51° 24' 49"	57° 50' 52"	Cape Carysfort
2.	51° 30' 38"	57° 44' 11"	Volunteer Point
3.	51° 40' 34"	57° 41' 00"	Seal Rocks
4.	51° 43' 41"	57° 44' 22"	Wolf Rock
5.	52° 05' 51"	58° 24' 36"	Prong Point
6.	52° 27' 00"	58° 53' 33"	East Sea Lion Island
7.	52° 26' 53"	59° 07' 16"	West Sea Lion Island
8.	52° 23' 48"	59° 43' 25"	Barren Island
9.	52° 15' 33"	60° 38' 52"	Cape Meredith
10.	52° 10' 11"	60° 56' 07"	Bird Island
11.	51° 50' 05"	61° 20' 36"	Cape Percival
12.	51° 41' 35"	61° 19' 46"	Landsend Bluff
13.	51° 00' 27"	61° 15' 36"	Steeple Jason Islet
14.	51° 01' 09"	61° 07' 46"	Grand Jason NW Islet
15.	51° 01' 30"	61° 05' 34"	Grand Jason N Islet
16.	51° 09' 36"	60° 14' 13"	Wreck Islands
17.	51° 12' 28"	59° 54' 58"	Government Island
18.	51° 13' 49"	59° 46' 23"	White Island
19.	51° 16' 26"	59° 29' 55"	Cape Tamar
20.	51° 13' 59"	58° 57' 56"	Cape Dolphin
21.	51° 17' 52"	58° 27' 42"	Cape Bougainville
22.	51° 21' 40"	57° 56' 46"	MacBride Head

The above positions are on Falkland Islands Datum (1943).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order extends the boundaries of the Falkland Islands, so as to include, as territorial sea, the sea within twelve nautical miles of the baselines, together with its seabed and subsoil, and makes other provisions in this connection. In particular, it defines the baseline from which the breadth of the territorial sea is measured as generally the low-water line, except that a series of straight baselines joining specified points is provided for. The effect of the Order is to establish around all of the Falkland Islands (including Beauchene Island) a territorial sea extending to 12 nautical miles from the appropriate baselines.