

SCHEDULE

STRICT LIABILITY FOR CERTAIN LOSS OR DAMAGE ETC.

PART I

PROVISIONS OF THE CONVENTION HAVING EFFECT OF LAW

Article 8(2)

An Operator shall be strictly liable for:

- (a) damage to the Antarctic environment or dependent or associated ecosystems arising from its Antarctic mineral resource activities, including payment in the event that there has been no restoration of the *status quo ante* ;
- (b) loss of or impairment to an established use, as referred to in Article 15, or loss of or impairment to an established use of dependent or associated ecosystems, arising directly out of damage described in sub-paragraph (a) above;
- (c) loss of or damage to property of a third party or loss of life or personal injury of a third party arising directly out of damage described in sub-paragraph (a) above;
- (d) reimbursement of reasonable costs by whomsoever incurred relating to necessary response action, including prevention, containment, clean up and removal measures, and action taken to restore the *status quo ante* where Antarctic mineral resource activities undertaken by that Operator result in or threaten to result in damage to the Antarctic environment or dependent or associated ecosystems.