



# Antarctic Act 1994

## 1994 CHAPTER 15

### PART II

#### ENVIRONMENTAL PROTECTION

##### *Permits for entering and remaining in Antarctica*

### **3 Permits required for British expeditions to Antarctica.**

- (1) No person who is on a British expedition may enter or remain in Antarctica except in accordance with a permit granted under this section.
- (2) Subsection (1) does not apply—
  - (a) to a person travelling through, on or above the high seas to an immediate destination outside Antarctica, or
  - (b) to a person entering or remaining in Antarctica for the sole purpose of fishing for profit.
- (3) Subject to subsection (4), for the purposes of this [F1Act] an expedition is a British expedition if—
  - (a) it was organised in the United Kingdom, or
  - (b) the place of final departure for Antarctica of the persons on the expedition was in the United Kingdom.
- (4) An expedition organised in and authorised in writing by another Contracting Party shall not be regarded as a British expedition.
- (5) Any person who contravenes subsection (1) shall be guilty of an offence.
- (6) If subsection (1) is contravened by a person who—
  - (a) is on an expedition in respect of which a permit has been granted under this section to another person, and
  - (b) is specified or of a description specified in that permit,that other person shall be guilty of an offence.

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*Changes to legislation: There are currently no known outstanding effects for the Antarctic Act 1994.*  
*Cross Heading: Permits for entering and remaining in Antarctica. (See end of Document for details)*

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- (7) If a person whose place of final departure for Antarctica was in the United Kingdom enters Antarctica in contravention of subsection (1)—
- (a) the operator of the vessel or aircraft on which he enters Antarctica, and
  - (b) the master of that vessel or the commander of that aircraft,
- shall each be guilty of an offence.
- (8) The Secretary of State may on the application of any person grant to him a permit authorising any person specified or of a description specified in the permit to enter and remain in Antarctica on a British expedition.

**Textual Amendments**

**F1** Word in s. 3(3) substituted (26.5.2013) by [Antarctic Act 2013 \(c. 15\)](#), ss. **14(6)**, 18(4)(a)

**4 Permits required for British stations in Antarctica.**

- (1) No person may remain on a British station in Antarctica except in accordance with a permit granted under this section.
- (2) For the purposes of this section a station is a British station if it is maintained by or on behalf of a United Kingdom national.
- (3) Any person who contravenes subsection (1) shall be guilty of an offence.
- (4) If subsection (1) is contravened by a person who—
  - (a) is on a station in respect of which a permit has been granted under this section to another person, and
  - (b) is specified or of a description specified in that permit,
 that other person shall be guilty of an offence.
- (5) The Secretary of State may on the application of any person grant to him a permit authorising any person specified or of a description specified in the permit to remain on any British station in Antarctica specified in the permit or of a description specified in the permit.

**5 Permits required for British vessels and aircraft entering Antarctica.**

- (1) No British vessel or British aircraft may enter Antarctica except in accordance with a permit granted under this section or under the written authorisation of another Contracting Party.
- (2) Subsection (1) does not apply—
  - (a) to a vessel or aircraft travelling to an immediate destination outside Antarctica, or
  - (b) to a vessel entering Antarctica for the sole purpose of fishing for profit.
- (3) In this section—
 

“British vessel” means a United Kingdom ship within the meaning of section 21(1) of the <sup>M1</sup>Merchant Shipping Act 1979, and

“British aircraft” means a British-controlled aircraft within the meaning of section 92 of the <sup>M2</sup>Civil Aviation Act 1982.

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- (4) If subsection (1) is contravened—
- (a) the operator of the vessel or aircraft, and
  - (b) the master of the vessel or the commander of the aircraft,
- shall each be guilty of an offence.
- (5) The Secretary of State may on the application of any person grant to him a permit authorising any British vessel or aircraft of which he is the operator and which is specified or of a description specified in the permit to enter Antarctica on occasions or in circumstances specified in the permit.

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**Marginal Citations**

**M1** 1979 c. 39.

**M2** 1982 c. 16.

**Changes to legislation:**

There are currently no known outstanding effects for the Antarctic Act 1994, Cross Heading:  
Permits for entering and remaining in Antarctica.