
STATUTORY INSTRUMENTS

1995 No. 490

The Antarctic Regulations 1995

PART 2

PERMITS

Production of permits

9.—(1) Subject to the provisions of this regulation, when there is reason to believe that a person has carried out (or is carrying out or may be about to carry out) an activity for which a permit is required by section 3(1), 4(1), 5(1), 6(1), 7(1), 8(1), 9(1) or 11(1) of the Act, an authorised person may require that person to produce, or cause to be produced, within 5 days after the request has been made, a permit granted under the Act authorising that activity.

(2) Where a permit has been granted to a person in respect of another specified person or of persons of a specified description, the requirement in paragraph (1) to produce the permit shall apply also to such person or persons.

(3) The requirements of the preceding paragraphs may be satisfied by the production of a true photocopy of the permit.

(4) An authorised person shall have the power to inspect and copy any permit which he has the power pursuant to this regulation to require to be produced to him.

(5) For the purpose of this regulation—

“authorised person” means the Secretary of State and

- (a) in the United Kingdom
 - (i) a justice of the peace or a sheriff;
 - (ii) a constable;
 - (iii) a harbour master;
 - (iv) an aerodrome manager;
 - (v) a customs or immigration officer; or
 - (vi) any other person authorised by the Secretary of State in writing for the purpose of this regulation either generally or in a particular case,and for the purposes of sub-paragraph (iv) “aerodrome manager” means the aviation authority, local authority or any other person by whom the aerodrome is managed;
- (b) anywhere in Antarctica
 - (i) a station manager (that is to say any person who is for the time being running a station in Antarctica on behalf of the Director of the British Antarctic Survey);
 - (ii) any person authorised by the Secretary of State in writing for the purpose of this regulation either generally or in a particular case; or

- (iii) in respect of permits granted under section 12 of the Act, any person designated as an observer by a party to the Antarctic Treaty in accordance with Article VII thereof;
- (c) only in the British Antarctic Territory
 - (i) a magistrate of the British Antarctic Territory; or
 - (ii) a public officer of the British Antarctic Territory;
- (d) south of the Antarctic Convergence: in respect of permits granted under section 11 of the Act, any person designated as an inspector by a Member of the Commission for the Conservation of Antarctic Marine Living Resources under Article XXIV of the Convention;
- (e) in respect of a British vessel in the seas south of 60° South latitude
 - (i) a British naval officer; or
 - (ii) the master of a vessel operated by or on behalf of the British Antarctic Survey.