

**EXPLANATORY MEMORANDUM TO  
THE ANTARCTIC (AMENDMENT) REGULATIONS**

**2004 No.2782**

1. This explanatory memorandum has been prepared by the Foreign and Commonwealth Office and is laid before Parliament by Command of Her Majesty.
2. **Description**
  - 2.1 These Regulations amend the Antarctic Regulations 1995 made under the Antarctic Act 1994, by adding further restricted areas and updating the schedule of protected historic sites and monuments in Antarctica.
3. **Matters of special interest to the Joint Committee on Statutory Instruments**
  - 3.1 None.
4. **Legislative Background**
  - 4.1 This instrument updates the UK's legislation for the protection of the environment in Antarctica, in line with its obligations as a State Party to the Protocol on Environmental Protection to the Antarctic Treaty 1991 ("the Environmental Protocol").
  - 4.2 The Antarctic Act 1994 requires British nationals to obtain a permit before entering any area in Antarctica designated as restricted under the Protocol, and to act in accordance with its conditions. It also prohibits British nationals from damaging, destroying or removing any part of a site or monument designated under the Environmental Protocol as an Antarctic Historic Site or Monument. This is to ensure full compliance with the Protocol, including controlling visits to sites designated as protected areas for historical or ecological reasons.
  - 4.3 The annual meeting of Treaty Parties (the Antarctic Treaty Consultative Meeting, or "ATCM") regularly agrees new sites in Antarctica that should be designated as restricted areas and updates the designations and descriptions of existing sites.
  - 4.4 This instrument reflects the additions and updating agreed at ATCM XXVI, Madrid. It amends the Antarctic Regulations 1995, as amended in 1995, 1998, 2000, 2002 and 2003.

## **5. Extent**

5.1 The instrument applies to all of the United Kingdom.

## **6. European Convention on Human Rights**

6.1 Not applicable.

## **7. Policy Background**

7.1 The United Kingdom ratified the Antarctic Treaty in 1960 and is a Consultative Party. The United Kingdom is also a State Party to the Environmental Protocol, which provides for comprehensive protection of the Antarctic environment and which entered into force in 1998. The United Kingdom supports the strengthening of measures to protect the Antarctic Environment, including the designation of these new restricted areas, and actively participated in the development of the management plans for those areas.

7.2 The Foreign and Commonwealth Office is the UK authority responsible for granting visit authorisation to Antarctica, ensuring that the terms of the Environmental Protocol are abided by in any British visit to Antarctica.

7.3 Public interest in the UK's Antarctic policy is generally limited to those interested in travelling to Antarctica.

## **8. Impact**

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it imposes negligible costs on business, charities or voluntary bodies.

8.2 There is no impact on the Exchequer.

## **9. Contact**

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