

Reprint
as at 20 June 2008



Antarctica (Environmental Protection) Regulations 2006 (SR 2006/113)

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 1st day of May 2006

Present:

His Excellency the Governor-General in Council

Pursuant to section 55 of the Antarctica (Environmental Protection) Act 1994, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

The Antarctica (Environmental Protection) Regulations 2006 are administered by the Ministry of Foreign Affairs and Trade.

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Regulations

1 Title

These regulations are the Antarctica (Environmental Protection) Regulations 2006.

2 Commencement

These regulations come into force on the 28th day after the date of their notification in the *Gazette*.

3 Interpretation

In these regulations, unless the context otherwise requires,—

Act means the Antarctica (Environmental Protection) Act 1994

ASMA means Antarctic Specially Managed Area

ASPA means Antarctic Specially Protected Area.

4 Antarctic Specially Managed Areas

The areas specified in Schedule 1 are Antarctic Specially Managed Areas within the meaning of section 26 of the Act.

5 Antarctic Specially Protected Areas

The areas specified in Schedule 2 are Antarctic Specially Protected Areas within the meaning of section 26 of the Act.

6 Historic Sites and Historic Monuments

- (1) The Historic Site listed in Schedule 3 is an Historic Site within the meaning of section 26 of the Act.
- (2) The Historic Monument listed in Schedule 3 is an Historic Monument within the meaning of section 26 of the Act.

Schedule 1 Antarctic Specially Managed Areas

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- 1 McMurdo Dry Valleys, Southern Victoria Land: ASMA No 2, 77°S, 162°E**

The boundary of the area is delineated by the following features (starting at the north-west corner and moving counter-clockwise):

the north-west tip of Allan Nunatak (76.7167°S, 159.6667°E), Carapace Nunatak (76.8833°S, 159.4°E), Mt. De Witt (77.2°S, 159.8333°E), the western edge of Horseshoe Mountain (77.5667°S, 159.95°E), Depot Nunatak (77.75°S, 160.0667°E), the southern most peak of the Lashly Mountains (77.9606°S, 159.5603°E), Mt. Kempe (78.3167°S, 162.7167°E), the Pyramid (78.35°S, 163.5°E), the east side of Heald Island (78.25°S, 163.8167°E), DeMaster Point (off the eastern end of Marshall Valley, 78.0792°S, 164.4131°E), north along the coast following the mean low tide level to the east side of Tripp Island (76.6333°S, 162.7°E), the southern edge of Fry Glacier (76.6333°S, 162.3°E), and again the north-west tip of Allan Nunatak (76.7167°S, 159.6667°E).
- 2 Cape Denison, Commonwealth Bay, George V Land: ASMA No 3, 67°00'13"S–67°00'50"S, 142°40'00.1"E–142°41'27"E**

The area extends from Land's End (67°00'46"S, 142°39'24"E) in the west, along the coastline to the northern tip of the western shore of Boat Harbour (67°00'24"S, 142°39'28"E), across the mouth of Boat Harbour (in a straight north-easterly diagonal) to the northern tip of Penguin Knob (67°00'17"S, 142°39'31"E) on the eastern shore of Boat Harbour, and then along the coastline in a south-easterly direction down to John O'Groats (67°00'47"S, 142°41'27"E). The southern boundary extends in a straight line from Land's End to John O'Groats along latitude 67°00'47"S. With the exception of the boundary across the mouth of Boat Harbour, the northern coastal boundary extends to that land above the lowest tide.

Schedule 2 Antarctic Specially Protected Areas

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- 1 Litchfield Island, Arthur Harbour, Anvers Island, Palmer Archipelago, Antarctic Peninsula: ASPA No 113, 64°46'15"S, 64°05'40"W, 0.35 km²**

The area encompasses all of Litchfield Island above the low tide water level, excluding all offshore islets and rocks.
- 2 Arrival Heights, Hut Point Peninsula, Ross Island: ASPA No 122**

The boundary of the area extends in a straight line from Trig T510 NW over First Crater to the 150 m contour. The boundary follows this contour north to a

point immediately west of Second Crater. The boundary extends east to Second Crater, the lip of which forms the NE corner of the area. The boundary then extends south in a straight line to Trig T510.

**3 Biscoe Point, Anvers Island, Palmer Archipelago, Antarctic Peninsula:
ASPANo 139, 64°48'47"S, 63°47'41"W**

The area includes all land above the low tide water level of the main island on which Biscoe Point is situated (0.53 km²), all offshore islets and rocks within 100 m of the shore of this main island, and most of the predominantly ice-free promontory 300 m to the north (0.1 km²).

The landward (eastern) boundary on the northern promontory bisects the peninsula at the point where it protrudes from Anvers Island, distinguished by a small bay cutting into the glacier in the south and a similar, although less pronounced, coastline feature in the north. The total area including the main island and the northern promontory is approximately 0.63 km².

4 Svarthamaren, Mühlig-Hofmannfjella, Dronning Maud Land: ASPANo 142

Svarthamaren stretches from approximately 71°33'17"S, 5°09'12"E in the north-west to approximately 71°55'58"S, 5°15'12"E in the south-east.

The Norwegian field station Tor (located in the Svarthamaren Nunatak at latitude 71°53'S, longitude 5°10'E), including a 10-metre buffer zone around the station buildings, is excluded from the Svarthamaren area. Access to the station is by the shortest route from the ice.

5 Mawson's Huts, Cape Denison, Commonwealth Bay, George V Land, East Antarctica: ASPANo 162

Mawson's Huts covers 4 areas. Each area consists of 1 hut and a 5-metre buffer zone extending from the perimeter of the hut. The locations of the huts are as follows:

- (a) Main Hut: 67°00'31"S, 142°39'39"E:
- (b) Transit Hut: 67°00'30"S, 142°39'42"E:
- (c) Absolute Magnetic Hut: 67°00'23"S, 142°39'48"E:
- (d) Magnetograph House: 67°00'21"S, 142°39'37"E.

Schedule 3

Historic Sites and Historic Monuments

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1 Historic Site: Cape Denison, Site No 77, 67°00'30"S, 142°39'40"E

Cape Denison, Commonwealth Bay, George V Land, including Boat Harbour and the historic artefacts contained within its waters.

2 Historic Monument: Memorial plaque, Site No 78, 71°45'08"S, 11°12'30"E

Memorial plaque at India Point, Humboldt Mountains, Wohlthat Massif, central Dronning Maud Land. The plaque was erected in memory of 3 scientists of the Geological Survey of India and a communication technician from the Indian Navy.

Diane Morcom, Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on the 28th day after the date of their notification in the *Gazette*, specify areas of Antarctica that, for the purposes of the Antarctica (Environmental Protection) Act 1994, are—

- Antarctic Specially Managed Areas:
- Antarctic Specially Protected Areas:
- Historic Sites:
- Historic Monuments.

These regulations give effect to Measures 1 to 3 (2004) of the twenty-seventh Antarctic Treaty Consultative Meeting (Cape Town).

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 4 May 2006.

Contents

- 1 General
- 2 Status of reprints
- 3 How reprints are prepared
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- 5 List of amendments incorporated in this reprint (most recent first)

Notes**1 General**

This is a reprint of the Antarctica (Environmental Protection) Regulations 2006. The reprint incorporates all the amendments to the Antarctica (Environmental Protection) Regulations 2006 as at 20 June 2008, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that have yet to come into force or that contain relevant transitional or savings provisions are also included, after the principal enactment, in chronological order.

2 Status of reprints

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 How reprints are prepared

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/legislation/reprints.shtml> or Part 8 of the *Tables of Acts and Ordinances and Statutory Regulations, and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted

enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted.

A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)
- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)

- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*