STATUTORY INSTRUMENTS

2015 No. 823

ANTARCTICA

The Antarctic Act 1994 (Overseas Territories) (Amendment) Order 2015

Made - - - -	*19th March 2015*
Laid before Parliament	*26th March 2015*
Coming into force	
Subject to the provisions of Article 1(2)	*30th July 2015*

At the Court at Buckingham Palace, the 19th day of March 2015

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers vested in Her by the Foreign Jurisdiction Act 1890(**1**), the British Settlements Acts 1887 and 1945(**2**), section 34(2) and (3) of the Antarctic Act 1994(**3**) and section 18(2) of the Antarctic Act 2013(**4**), and all of the other powers enabling Her to do so, is pleased, by and with the advice of Her Privy Council, to order as follows:

Citation, commencement, extent and interpretation

1.—(1) This Order may be cited as the Antarctic Act 1994 (Overseas Territories) (Amendment) Order 2015 and, subject to the provisions of paragraph (2), comes into force on 30th July 2015.

(2) The Schedule to this Order comes into force in respect of each territory to which the Order extends on such day as the Governor of the territory may by order, published in the official gazette of the territory, appoint; and different days may be appointed for different provisions and different purposes.

(3) This Order extends to the territories listed in Schedule 2 to the principal Order.

(4) In this Order, "the principal Order" means the Antarctic Act 1994 (Overseas Territories) Order 1995(**5**).

(**1**) 1890 53 & 54 Vict. c. 37.
(**2**) 1887 50 & 51 Vict. c. 54 and 1945 9 & 10 Geo. 6 & 7.
(**3**) 1994 c. 15.
(**4**) 2013 c. 15.
(**5**) S.I. 1995/1030.

Amendment of the principal Order

2. Schedule 1 of the principal Order is amended as set out in the Schedule to this Order.

Richard Tilbrook
Clerk of the Privy Council

SCHEDULE Article 2

Application of offences to non-nationals

1.—(1) In the following provisions, after "United Kingdom national" insert ", and no non-national on a British expedition,"–

(a) section 7(1) (offence of damaging flora and fauna etc);

(b) section 8(1) (offence of introducing non-native animals and plants);

(c) section 9(1) (offence of entering or remaining in restricted areas);

(d) section 10(1) (offence of damaging etc certain sites and monuments);

(e) section 11(1) (offence of entering or remaining in protected place).

(2) In section 11 (protected places)–

(a) in subsection (3) (permits), after "United Kingdom national" insert ", or any non-national on a British expedition,";

(b) after that subsection insert–

"(4) The Governor, with the consent of the Secretary of State, shall not grant a permit under this section in respect of a non-national on a British expedition unless he is satisfied that the activities authorised by the permit will be carried on only for the purposes of education or scientific research.".

(3) In section 12 (permits for activities prohibited by sections 7, 8 and 9)–

(a) the existing provision becomes subsection (1);

(b) in that provision, after "United Kingdom national" insert ", or any non-national on a British expedition,";

(c) after that provision insert–

"(2) The Governor, with the consent of the Secretary of State, shall not grant a permit under this section in respect of a non-national on a British expedition unless he is satisfied that the activities authorised by the permit will be carried on only for the purposes of education or scientific research.".

(4) In section 31(1) (interpretation), at the appropriate place insert–

""non-national" means an individual who is not a United Kingdom national;".

Consequential

(5) In section 3(3) (permits for British expeditions), for "section" substitute "Act".

(6) In section 31(1) (interpretation), at the appropriate place insert–

""British expedition" has the meaning given by section 3;".

(7) In the first paragraph of Schedule 3 to the principal order, after "section 3" insert "(except subsections (3) and (4))".

Historic Sites and Monuments: permits

2.—(1) In section 10 (Historic Sites and Monuments)–

(a) in subsection (1), at the end insert ", except in accordance with a permit granted under this section or under the written authorisation of another Contracting Party";

(b) after subsection (2) insert–