
SUBSIDIARY LEGISLATION

WILDLIFE AND PROTECTED AREAS

Wildlife and Protected Areas (Specially Protected Areas) Order 2022

(S.R. & O. No.: 2 of 2022)

ARRANGEMENT OF PROVISIONS

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(S.R. & O. No.: 2 of 2022)

(Made: 29 June 2022)

(Published: 5 July 2022)

(Coming into force: on publication)

Believing that the matters set out in section 16(2) of the Wildlife and Protected Areas Ordinance 2011 (“**the Ordinance**”) apply in respect of South Georgia and the South Sandwich Islands, I make this Order under section 16 of the Ordinance.

1. Title and commencement

This Order is the Wildlife and Protected Areas (Specially Protected Areas) Order 2022 and comes into force on publication in the *Gazette*.

2. Interpretation

In this Order —

“**South Georgia**” means the specially protected areas that comprise that part of the Territories known as South Georgia;

“**the South Sandwich Islands**” means the specially protected areas that comprise that part of the Territories known as the South Sandwich Islands; and

“**the Territories**” has the same meaning as in The South Georgia and South Sandwich Islands Order 1985 (SI 1985/449).

3. Designation and boundaries

(1) Each of the land areas that comprise the Territories is designated as a specially protected area.

(2) For the purpose of section 16(6)(a) of the Ordinance, the boundary of each specially protected area is the mean high-water mark.

4. Protected features

For the purpose of section 16(6)(b) of the Ordinance, the protected features of the specially protected areas are —

(a) the native flora and fauna; and

(b) the natural habitats, geological and landscape features.

5. Conservation objectives

(1) For the purpose of section 16(6)(c) of the Ordinance, this article sets out the conservation objectives for the specially protected areas, recognising the significant ecological importance of, and high scientific interest in, those areas.

(2) The conservation objectives are —

(a) the conservation, protection and preservation of the ecosystem and restoration of biodiversity; and

(b) ensuring that any activity in the specially protected areas is managed sustainably, with minimal impact on the ecosystem.

6. Prohibition of entry in the South Sandwich Islands

(1) Subject to article 6(3), entry into any part of the South Sandwich Islands is prohibited without permission under section 21 of the Ordinance.

(2) Permission must only be granted in special circumstances and in accordance with section 21(3) of the Ordinance.

(3) Article 6(1) does not apply to any person who —

(a) is a member of the naval, military or air forces of the Crown, acting in the course of their duties; or

(b) is acting for or on behalf of the Government of South Georgia and the South Sandwich Islands.

Made 29 June 2022

N. J. PHILLIPS C.B.E.,
Commissioner.

EXPLANATORY NOTE *(not part of this Order)*

This Order is made under section 16 of the Wildlife and Protected Areas Ordinance 2011 and comes into force on publication in the *Gazette* (*article 1*).

Article 3 designates the whole of the land areas above the mean high-water mark of the Territories of South Georgia and the South Sandwich Islands as specially protected areas for the purposes of the Ordinance. The boundaries of the specially protected areas are contiguous with the boundary of the area protected by the Marine Protected Areas Order 2019, made under section 18 and 20 of the Ordinance.

Article 4 provides for the protected features of the designated areas, namely native flora and fauna and the natural habitats, geological and landscape features.

Article 5 sets out the conservation objectives for the specially protected areas. The conservation objectives are to provide the holistic protection of the ecosystem and the

conservation and restoration of biodiversity within which globally significant science and other sustainable activity may occur.

Article 6 applies only to the South Sandwich Islands, where access to the designated areas is prohibited except for members of the armed forces and employees or contractors of the Government. This is for the purpose of preserving the Islands' pristine nature, maintaining the assumed absence of non-native species and strengthening the inherent protection that arises from their remote location and difficulty of access.

The Commissioner may grant a permit under section 21(3) of the Ordinance allowing access to an otherwise prohibited area in special circumstances.