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## **SUBSIDIARY LEGISLATION**

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### **WILDLIFE AND PROTECTED AREAS**

#### **Wildlife and Protected Areas (SPA Management Plan and Prohibited Activities) Regulations 2023**

(S. R. & O. No.: 1 of 2023)

#### **ARRANGEMENT OF PROVISIONS**

##### Regulation

1. Title and commencement
2. Interpretation
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Schedule – Synopsis of Management Plan

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### WILDLIFE AND PROTECTED AREAS

#### Wildlife and Protected Areas (SPA Management Plan and Prohibited Activities) Regulations 2023

(S.R. & O. No.: 1 of 2023)

*(Made: 10 July 2023)*  
*(Published: 11 August 2023)*  
*(Coming into force: see regulation 1)*

I make these Regulations under section 17 of the Wildlife and Protected Areas Ordinance 2011 (“**the Ordinance**”).

#### 1. Title and commencement

These Regulations are the Wildlife and Protected Areas (SPA Management Plan and Prohibited Activities) Regulations 2023 and come into force on a day appointed by the Commissioner by notice in the *Gazette*.

#### 2. Interpretation

(1) In these Regulations —

“**conservation objectives**” means the conservation objectives set out in article 5 of the Order;

“**management plan**” has the meaning in regulation 3(1);

“**the Order**” means the Wildlife and Protected Areas (Specially Protected Areas) Order 2022;

“**prohibited activities**” has the meaning in regulation 4; and

“**small unmanned aircraft**” has the meaning in the Air Navigation (Overseas Territories) Order 2013 (UK SI 2013/2870).

(2) These Regulations are construed with the Order.

#### 3. Management plan

(1) The management plan for the specially protected areas is the document identified as such and published on the Government’s website from time to time (“**the management plan**”).

(2) For the purpose of section 17(4) of the Ordinance, a synopsis of the management plan is set out in the Schedule.

(3) The Commissioner must review the management plan within 6 years after the coming into force of these Regulations and thereafter within each subsequent period of 6 years to —

(a) assess the extent to which the plan is delivering the conservation objectives for the specially protected areas;

(b) consider whether any changes are required to the prohibition on entry to the South Sandwich Islands in the Order or to the prohibited activities in relation to any specially protected area; and

(c) consider whether any changes are required to improve monitoring or surveillance of the impact of implementing the plan.

(4) Having reviewed the plan in accordance with subregulation (3), the Commissioner must update the plan as necessary to deliver the conservation objectives and publish the updated plan on the Government's website.

#### **4. Prohibited activities**

(1) The following activities are prohibited in the specially protected areas ("**prohibited activities**") —

(a) the deliberate or reckless disturbance of, or interference of any kind with, any native or wild bird or marine mammal;

(b) the erection of any structure or installation, whether temporary or permanent, including affixing any such structure or installation to any protected feature or any building;

(c) the use of any mechanically-propelled vehicle that is not a wheelchair designed for, and used by, a person whose physical mobility is restricted;

(d) the use of small unmanned aircraft at 400 feet or less above ground level;

(e) the use of any aircraft that is not small unmanned aircraft at 2000 feet or less above ground level;

(f) the removal of any peat, topsoil or subsoil;

(g) the removal, quarrying or extraction of any mineral (including stone, shingle, sand or gravel);

(h) the disposal of waste by burial, landfill or incineration; and

(i) any development, whether temporary or permanent, including the carrying out of building, engineering, demolition or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.

- (2) The prohibition in subregulation (1) does not apply to the activities of —
- (a) subject to subregulation (3), the Government or any person acting on behalf of the Government; or
  - (b) subject to subregulation (4) the naval, military or air forces of the Crown.
- (3) The Government and any person engaging in permitted activities for or on behalf of the Government must use their best endeavours to ensure that such activities are undertaken in a manner that is consistent with the management plan.
- (4) The prohibition in subregulation (1) applies to a member of the naval, military or air forces of the Crown when not acting in the course of their duties.

### **SCHEDULE - SYNOPSIS OF MANAGEMENT PLAN**

*(regulation 3)*

The management plan sets out the scheme for achieving the conservation objectives for the specially protected areas.

In particular, the management plan sets out the policies and procedures that apply to applications for permits under section 21 of the Ordinance for —

- (a) activities otherwise prohibited under regulation 4; and
- (b) entry into the South Sandwich Islands in exceptional circumstances.

The management plan also outlines a phased approach to managing the specially protected areas.

The Government will be advised by an expert group on matters relating to the development and ongoing monitoring of the specially protected areas.

Made 10 July 2023

A. M. BLAKE C.M.G.,  
*Commissioner.*

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#### **EXPLANATORY NOTE** *(not forming part of these Regulations)*

These Regulations are made under section 17 of the Wildlife and Protected Areas Ordinance 2011 (“the Ordinance”) and come into force on publication of a notice in the *Gazette (regulation 1)*. *Regulation 2* deals with matters of interpretation.

*Regulation 3* provides for the implementation of the management plan, of which a synopsis is provided in the Schedule. The plan must be published on the Government website at [www.gov.gs](http://www.gov.gs) and updated within 6 years of the Regulations coming into force, and within every subsequent six year period.

*Regulation 4* lists the activities that are prohibited in South Georgia and the South Sandwich Islands unless carried out in accordance with a permit issued by the Government under section 21 of the Ordinance. The prohibitions do not apply to the activities of the armed forces when carrying out their duties; or to the Government or any person acting on behalf of the Government provided such persons use their best endeavours to act in a manner that is consistent with the management plan.