



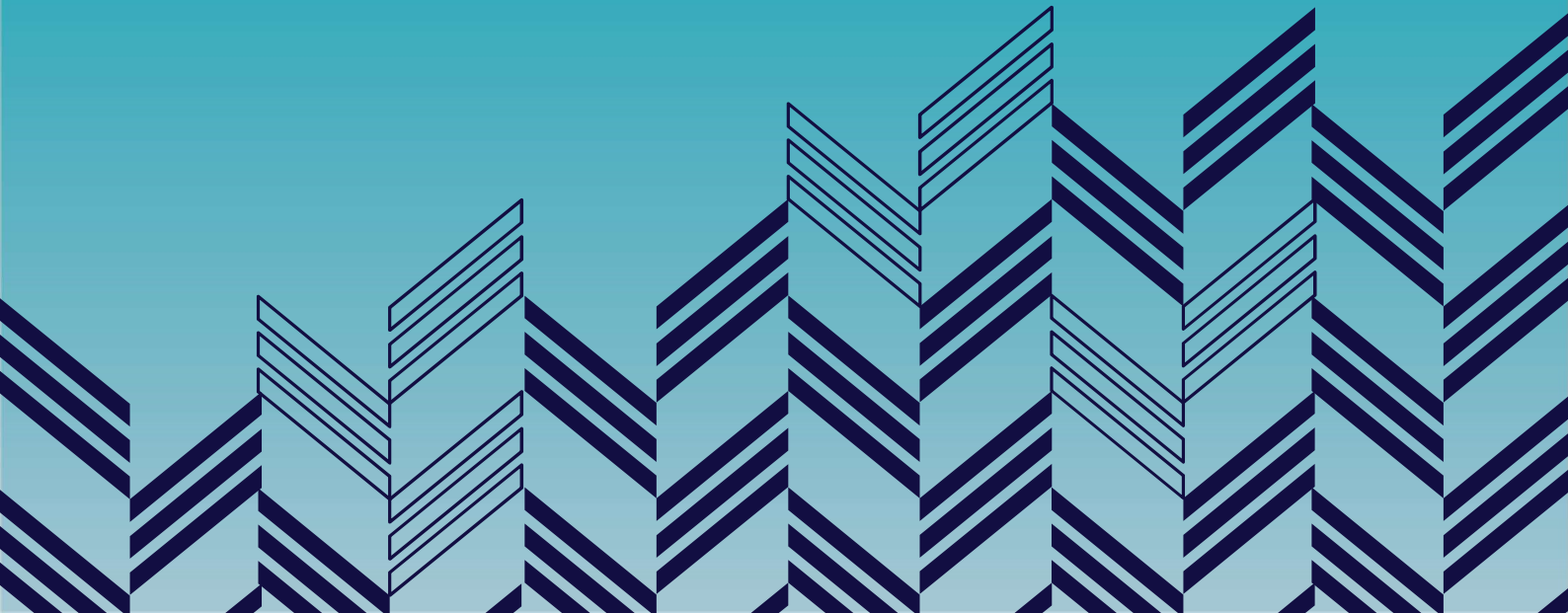
**NEW ZEALAND**  
**FOREIGN AFFAIRS & TRADE**  
Manatū Aorere

MAR 2022

# **New Zealand Procedures for Non-Governmental Activities to Antarctica**

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V2.3-2022



# CONTENTS

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<b>1.</b>	<b>INTRODUCTION.....</b>	<b>4</b>
<b>2.</b>	<b>INTERNATIONAL AND LEGAL CONTEXT .....</b>	<b>6</b>
2.1	The Antarctic Treaty System.....	6
2.1.1	Protocol on Environmental Protection to the Antarctic Treaty.....	6
2.1.2	Convention on the Conservation of Antarctic Marine Living Resources.....	6
2.2	New Zealand legislation .....	7
<b>3.</b>	<b>PROCEDURES .....</b>	<b>8</b>
3.1	Advance Notification.....	10
3.2	EIA under the Antarctica (Environmental Protection) Act.....	10
	Levels of Impact.....	10
	Minister approval.....	11
	Permits .....	11
	Exemption.....	12
3.2.1	Permits under the Antarctica (Environmental Protection) Act.....	14
3.3	Obtain the appropriate approvals .....	15
3.3.1	Other Permits required under separate New Zealand legislation .....	15
3.3.1.1	Permits under the Antarctic Marine Living Resources Act.....	15
3.3.1.2	Permits under the Marine Mammal Protection Act 1978.....	15
3.3.1.3	Approvals under the Hazardous Substances and New Organisms Act 1996 .....	16
3.3.1.4	Permits under the Biosecurity Act 1993.....	16
3.3.1.5	Animal Welfare Act 1999.....	16
3.3.1.6	Trade in Endangered Species Act 1989.....	16
3.3.1.7	Maritime Transport Act.....	17
3.3.2	Visiting Antarctic Bases and Field Stations.....	17
3.3.3	Permits to visit New Zealand's sub-Antarctic islands .....	17
3.3.4	Visiting Australia's Macquarie Island .....	18
3.4	Provide details of your contingency plans and insurance .....	19
3.4.1	Antarctic Treaty Recommendation XVIII-I.....	19
3.4.2	Insurance and Contingency Planning: Measure 4 (2004) and Resolution 4 (2004) .....	19
3.5	National Representatives.....	19
3.6	Post-activity reporting.....	20
<b>4.</b>	<b>FURTHER INFORMATION .....</b>	<b>21</b>
4.1	Safety in the Antarctic .....	21
	New Zealand General Guidelines for Safety in the Antarctic.....	21
<b>5.</b>	<b>GLOSSARY .....</b>	<b>23</b>

<b>APPENDIX .....</b>	<b>25</b>
Appendix 1 Antarctic Treaty Recommendation XVIII-1 .....	25
Guidance for Visitors to the Antarctic .....	25
Guidance for those Organising and Conducting Tourism and Non-Government Activities in the Antarctic .....	27
Procedures to be Followed by Organisers and Operators .....	28
Appendix 2 Measure 4 (2004) and Resolution 4 (2004) .....	30
Appendix 3 Advance Notification form .....	33
Appendix 4 Protected areas in the Ross Sea region .....	34
Appendix 5 Specially managed area in the Ross Sea region: McMurdo Dry Valleys .....	37
Appendix 6 The National Representative scheme .....	39
Appendix 7 Post-activity report forms .....	41
Appendix 8 EIA Resources .....	42
MFAT .....	42
External links .....	42
Appendix 9 Relevant organisations .....	44

## FIGURES

1. The Ross Sea region .....	5
2. Guide to procedures when planning an Antarctic activity .....	9
3. Identify the particular approvals and permits which may be required for your activity .....	13
4. Protected Areas in the Ross Sea region Map A .....	35
5: Protected Areas in the Ross Sea region Map B .....	36
6: McMurdo Valleys Antarctic Specially Managed Area no.2 .....	38

# 1. INTRODUCTION

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This document, is primarily for the guidance of the organisers of private expeditions leaving from New Zealand to the Ross Sea region of Antarctica, and secondly for government agencies administering relevant legislation.

The document provides a practical explanation of the procedures involved for those planning activities in Antarctica. It replaces the *New Zealand Procedures for Non-Governmental Visitors to Antarctica published in 2005*.

The Ross Sea region of Antarctica (see figure 1) has a long history of human activity, and a continuous presence in the region has been maintained since the 1950s when New Zealand and the United States established year-round scientific stations. Ship-based tourism in the region began shortly after the science stations, but only in the last couple of decades has it become a regular annual occurrence. Small scale, private adventure activities such as climbing expeditions and traverses have been conducted sporadically. There is currently an exploratory fishery for Antarctic toothfish (*Dissostichus mawsoni*) in the Ross Sea.

Under the Protocol on Environmental Protection to the Antarctic Treaty (1991), activities must be planned and conducted so as to limit and avoid adverse impacts on the Antarctic environment. The Protocol is implemented in New Zealand by the Antarctica (Environmental Protection) Act 1994 (the Act) and, in respect of Annex V, the Marine Protection Rules Part 160 Prevention of Pollution by Sewage from Ships in the Antarctic Treaty Area issued under the Maritime Transport Act 1994. In addition, the Convention for the Conservation of Antarctic Marine Living Resources (CCAMLR) and its associated domestic legislation (Antarctic Marine Living Resources Act 1981) provides a management regime for activities involving marine organisms. This document is designed to help you plan your Antarctic activities in accordance with these and other relevant requirements.

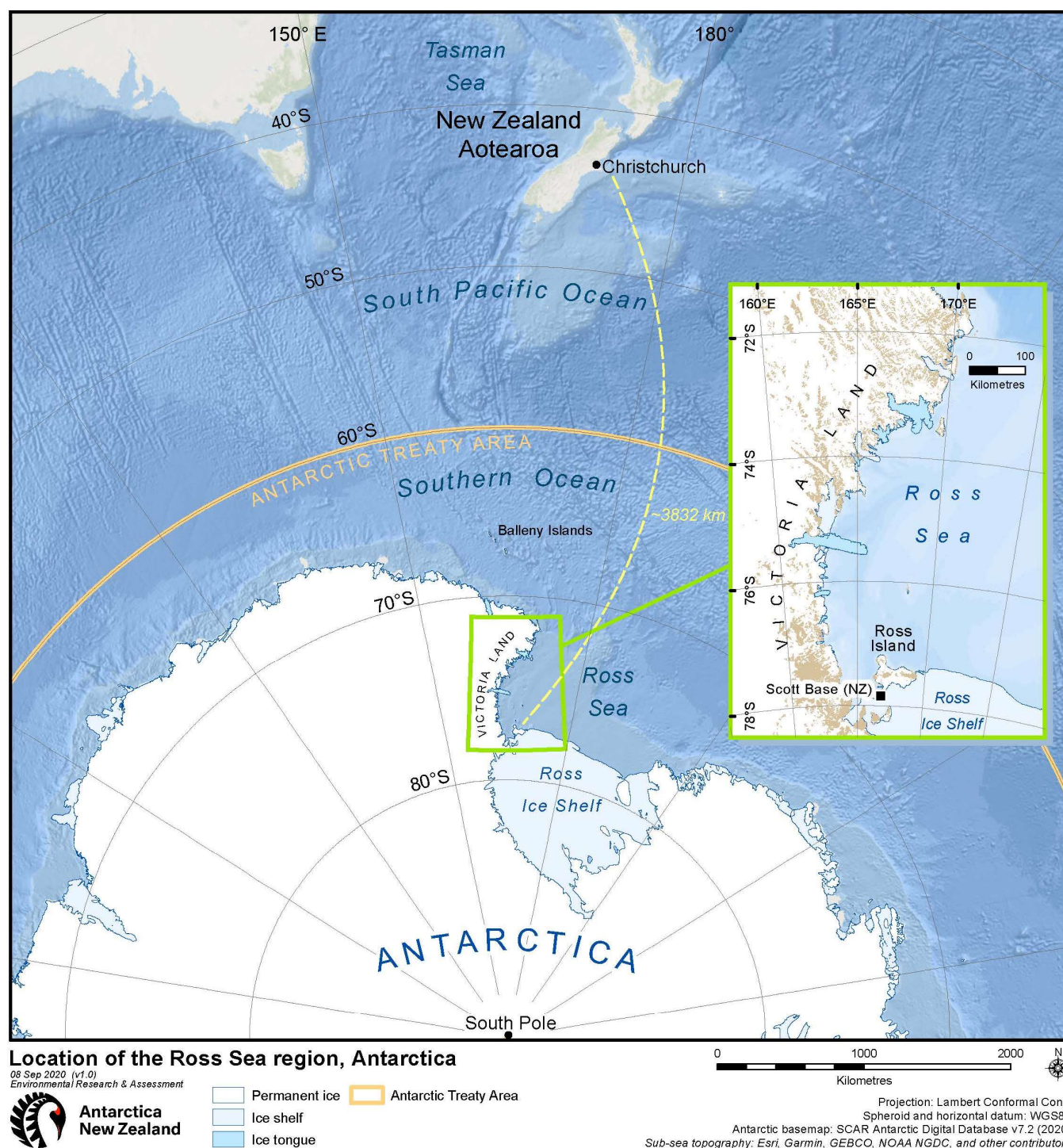
For further information please contact:

<mailto:Antarctica@mfat.govt.nz>

New Zealand Ministry of Foreign Affairs  
Antarctica & Southern Ocean Team  
Environment Division  
Ministry of Foreign Affairs and Trade  
Private Bag 18901  
Wellington 5045  
New Zealand

Email: **[Antarctica@mfat.govt.nz](mailto:Antarctica@mfat.govt.nz)**  
Phone: +64 4 439 8000  
Website: [https://www.mfat.govt.nz/Travelling to Antarctica](https://www.mfat.govt.nz/Travelling-to-Antarctica)  
(<https://www.mfat.govt.nz/ru/environment/antarctica-and-the-southern-ocean/travelling-to-antarctica/> )

Figure 1 The Ross Sea region





# 2. INTERNATIONAL AND LEGAL CONTEXT

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## 2.1 The Antarctic Treaty System

All New Zealand's Antarctic activities occur within the framework of international agreements known as the Antarctic Treaty System. Central to this system of governance is the Antarctic Treaty of 1959, which involved 12 states agreeing to put disputes regarding sovereignty over Antarctic territory to one side, ban nuclear explosions and waste disposal, and demilitarise Antarctica. The Treaty enables the conduct of scientific research but does not preclude other types of activity.

Today the Treaty has 29 Consultative Parties and 25 further signatories, and has been joined by further significant agreements and legally binding measures adopted at the annual Antarctic Treaty Consultative Meetings. Two of these agreements are introduced below.

### 2.1.1 Protocol on Environmental Protection to the Antarctic Treaty

The Protocol, added to the Treaty System in 1991, cements the environmental conservation concepts in the original Antarctic Treaty by designating Antarctica as a "natural reserve, devoted to peace and science". The Protocol sets out three key environmental principles to govern the planning of all Antarctic activities: it provides for the comprehensive protection of the Antarctic environment and dependent and associated ecosystems; it requires that activities in the Antarctic Treaty area be planned and conducted so as to limit adverse impacts on the Antarctic environment; and it specifies that activities shall be planned and conducted in the Antarctic Treaty area so as to accord priority to scientific research and to preserve the value of Antarctica as an area for the conduct of such research.

The Protocol also contains six annexes setting out requirements for:

- environmental impact assessment prior to any activity taking place;
- conservation of Antarctic flora and fauna;
- waste disposal and management;
- prevention of marine pollution (consistent with the MARPOL convention);
- protected and managed areas; and
- liability arising from environmental emergencies (adopted in 2005; yet to come into force).

### 2.1.2 Convention on the Conservation of Antarctic Marine Living Resources

CCAMLR provides for the conservation of all species of living organisms, including birds, within the Southern Ocean south of the Antarctic convergence. The Convention provides for the rational use of these resources. The harvesting of any living marine resources must be conducted in accordance with the following principles of conservation:

- prevention of decrease in size of any harvested population to levels below those which ensure its stable recruitment;
- maintenance of the ecological relationships between harvested, dependent and related populations of Antarctic marine living resources; and prevention of changes or minimisation of the risk of changes in the marine ecosystem which are not potentially reversible over two or three decades, taking into account the state of available knowledge.

Additional information about CCAMLR can be found at [www.ccamlr.org](http://www.ccamlr.org)

## 2.2 New Zealand legislation

In New Zealand's legal system, ratification of international Agreements requires implementing them into domestic legislation. The Antarctic Treaty is implemented into New Zealand law by the Antarctica Act 1960. The Protocol is implemented by the Antarctica (Environmental Protection) Act 1994 and, in respect of Annex IV (Prevention of Marine Pollution), through the Marine Protection Rules applicable to Antarctica issued under the Maritime Transport Act 1994. In addition, the Convention for the Conservation of Antarctic Marine Living Resources (CCAMLR) and its associated domestic legislation (the Antarctic Marine Living Resources Act 1981) provides a management regime for activities involving marine organisms.

Further to the implementation of international agreements, additional New Zealand legislation applies in Antarctica, related directly to New Zealand's claim over part of Antarctica. New Zealand formally asserted sovereignty over the Ross Dependency in 1923 by an Order in Council, defining the Dependency as all the islands and territories below 60° south, between 160° east and 150° west. The Order adopted the present and future common and statute law of New Zealand (as far as applicable to the conditions of the Dependency) as the law of the Ross Dependency. Applicable New Zealand criminal law is specifically extended to the Ross Dependency through the Antarctica Act 1960.

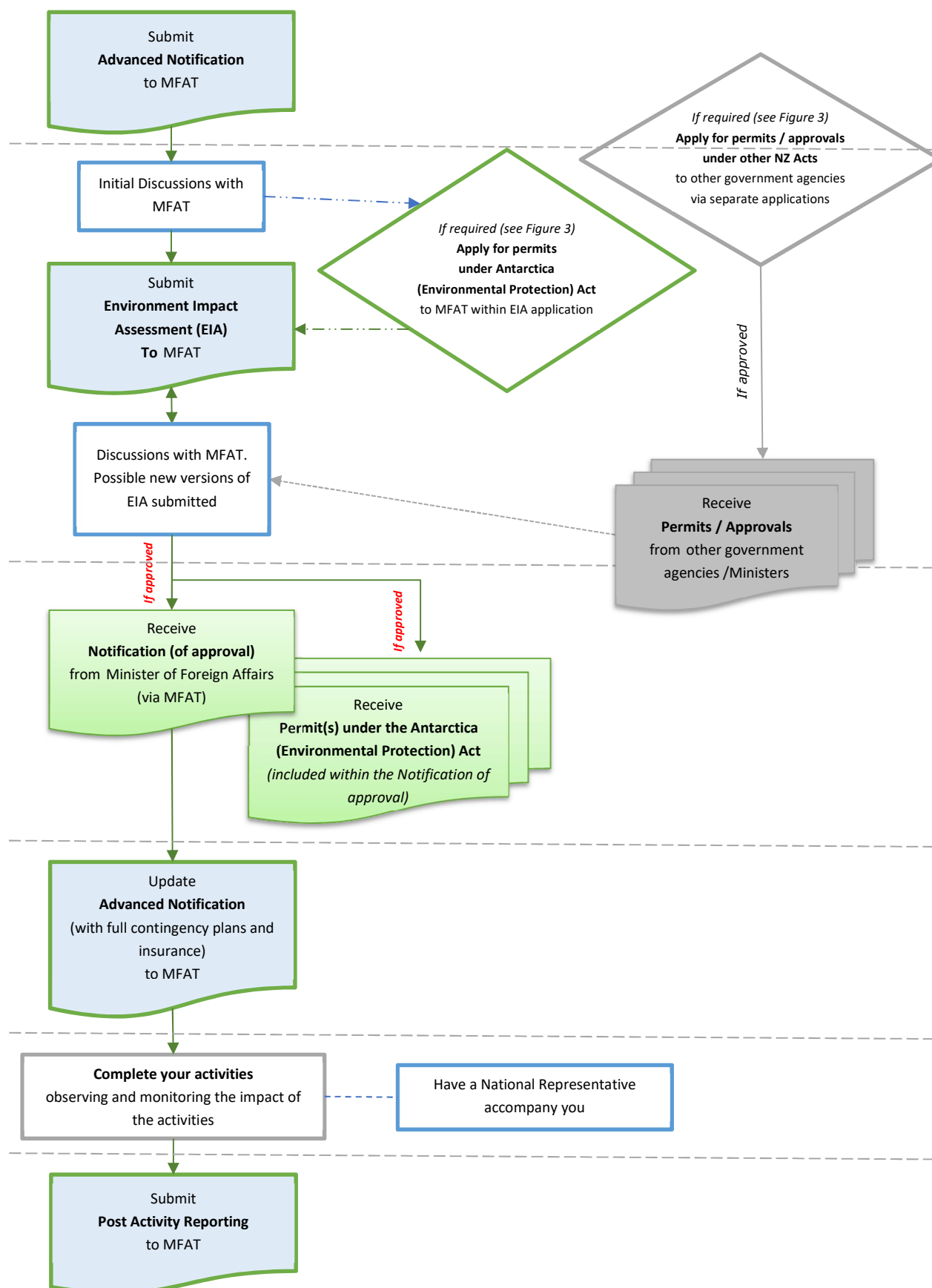
Legislation outlined in this document, such as the Marine Mammals Protection Act 1978, and the Animal Welfare Act 1999, is both relevant and practical to implement in Antarctica and is therefore "applicable to the conditions of the Dependency". Other legislation, such as the Biosecurity Act 1993 and the Hazardous Substances and New Organisms Act 1996, are applicable on return to New Zealand.

# 3. PROCEDURES

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Figure 2: Guide to procedures when planning an Antarctic activity



### 3.1 Advance Notification

For all types of activity, you must initially submit an **NZ Advance Notification Non-Government Activities Form** to MFAT. Advanced notification of activities is requested in accordance with Antarctic Treaty Recommendation XVIII-1 and Resolution XIX-3. Then an Environmental Impact Assessment (EIA) prepared and submitted by you to MFAT, must be approved by the Minister of Foreign Affairs and Trade under the Antarctica (Environmental Protection) Act 1994, before the activity can commence.

Therefore you must firstly complete the Advance Notification Form and email it to Antarctica & Southern Ocean team as early as possible. Please fill in as much detail within the form as possible at this stage of your planning (it can be updated at a later date). This will include information about your planned activities, contingency plans and insurance (see section 3.4 of this guide). This information helps inform us of the exact nature of your proposed activities. We will then contact you to discuss the Environment Impact Assessment (EIA) you will need to submit (including the level), and discuss the Notification of approval required, and various Permits that may be required.

We recommend you complete the Advance Notifications Form at least five months before you plan to leave. This gives you adequate time for preparing and reviewing your EIA before your proposed activity start date.

Under an Annex to the Antarctica (Environmental Protection) Act, New Zealand is required to submit information to other Antarctic Treaty Parties regarding planned Antarctic activities by 1 October each year.

For more information see *Antarctic Treaty Resolution XVIII-1* (Appendix 1) and the *New Zealand Advance Notification Form* (Appendix 3).

### 3.2 EIA under the Antarctica (Environmental Protection) Act

The Antarctica (Environmental Protection) Act 1994 implements the Protocol on Environmental Protection to the Antarctic Treaty. The Act applies to all New Zealanders planning activities in Antarctica. Non-New Zealanders in the Ross Dependency and any expeditions organised in New Zealand or proceeding from New Zealand as its final point of departure to Antarctica are also covered. In practice, the Act does not apply to members of official expeditions of other Antarctic Treaty parties (other countries in the Antarctic Treaty).

Under section 9 of the Act your activity must be planned and conducted in a way which limits adverse effects on the Antarctic environment, including its ecosystems as well as areas of scientific, historic, aesthetic or wilderness significance. This means all activities must undergo an **Environmental Impact Assessment (EIA)** written by the applicant. The EIA must provide information sufficient to allow prior assessments of, and informed judgements about, the likely impacts of the activity on the Antarctic environment. This EIA process is used to identify and predict the likely environmental impacts of activities before they occur, and to determine ways of preventing or minimising any adverse effects on the environment. It also identifies how these impacts will be monitored during and after activities, which verifies the expected impacts and detects unforeseen impacts.

Under section 24 of the Act, it is an offence to carry out an activity without completing this process. The Ministry of Foreign Affairs and Trade (MFAT) administers this Act and the Minister of Foreign Affairs makes the final determination as to whether or not an activity should proceed.

#### Levels of Impact

The environmental impact assessment process is set out in Part III of the Act (ss17-24). According to the Protocol and Annex I, impacts of proposed activities shall be evaluated by taking into account three

levels of significance (a value judgment about the severity and importance of a change in a given environment or environmental value or resource):

- The minimum level of EIA which may be undertaken is a *Preliminary Environmental Evaluation (PEE)* (s 17), and must be prepared if the activity is likely to have to have *less than a minor or transitory impact*. On the basis of the PEE a decision may be made that a higher level of EIA is necessary.
- A *Initial Environmental Evaluation (IEE)* must be prepared if the activity is likely to have *no more than a minor or transitory impact* on the Antarctic environment (s18);
- A *Comprehensive Environmental Evaluation (CEE)* must be prepared if the activity is likely to have *more than a minor or transitory impact* on the Antarctic environment (ss19-20).

We recommend using the detailed guide to preparing an EIA document which can be obtained at The Secretariat of the Antarctic Treaty website ([Revised Guidelines for Environmental Impact Assessment in Antarctica 2016](https://documents.ats.aq/recatt/att605_e.pdf) ([https://documents.ats.aq/recatt/att605\\_e.pdf](https://documents.ats.aq/recatt/att605_e.pdf))). In conjunction with this *NZ Procedures for Non-Governmental Activities* document, MFAT can provide advice and guidance on the type and content of the EIA that is required. Prospective applicants are therefore urged to contact the Antarctica & Southern Ocean team as early as possible to discuss their proposed plans.

## Minister approval

After submission of the Advanced Notification and initial discussions with MFAT, the EIA can be submitted. To allow timely assessment of all EIAs, they should be submitted as early as possible but **no later than three months before the proposed activity is expected to commence**. This time frame is required in order to allow the Ministry sufficient time to seek expert advice on the potential environmental impact of the proposed activity. Depending on the complexity however, this could take longer.

The Minister of Foreign Affairs and Trade makes the final determination as to whether or not an activity should proceed after consideration of an EIA, taking into account the recommendations of MFAT. If approved, a **Notification of approval** document is issued. The Minister also has discretion under the Act to make directions and conditions regarding the proposed activities, in order to protect the environment. These ministerial directions will be contained within the Notification of approval document signed by the Minister.

These **ministerial directions** are often imposed to minimise / avoid impacts and manage issues such as compliance, environmental monitoring and post-activity reporting. In addition, a general direction will be attached to all Notifications of approval given for tourist or non-governmental activities requiring appropriate contingency plans and adequate insurance to be maintained (see 3.4.2). Non-compliance with a direction given by the Minister is an offence carrying liability to imprisonment for a term not exceeding one year or to a fine not exceeding \$100,000 (s 10(2) and (3)).

## Permits

Some types of activity will also require permits under this Act (ss 27-28) and other Acts. Activities such as entry into Antarctic specially protected areas (ASPA) including Historic Huts, removing or introducing any flora and fauna, collecting samples, and other activities. These are also applied for as part of the EIA to MFAT. Any permits granted will be included as a section within the Notification of approval of activities, and may be subject to conditions. These conditions are imposed to minimise / avoid impacts in order to protect the environment.

Using the **flow chart in figure 3** in this guide will help to identify the particular approvals and permits which may be required for your activity.

See section **3.2.1** of this guide **Permits under the Antarctica (Environmental Protection) Act** for more information.

Permits and approvals required under other Acts see sections 3.3-3.3.4 of this guide. These outline the procedures involved with gaining approval and permits, including time-lines and contact points.

### Exemption

The Minister also has discretion to exempt a person from the EIA requirements of the Act (Part III) if satisfied that another Contracting Party to the Antarctic Treaty is applying or has applied the EIA procedures set out in Annex I of the Protocol. Therefore, if you already have a Notification of approval (e.g. permission / approval / permit documentation) from another country (or are planning to submit an Environment Impact Assessment (EIA) to another country) you will still need to contact us. This is because you may still be required to apply for an exemption from the Minister of Foreign Affairs. In addition, you may still be required to have a New Zealand National Representative on board, and that being accompanied by a Representative may be a condition of an expedition's approval or specific permits. See section 3.5 and also Appendix 6 of this guide for further detail.

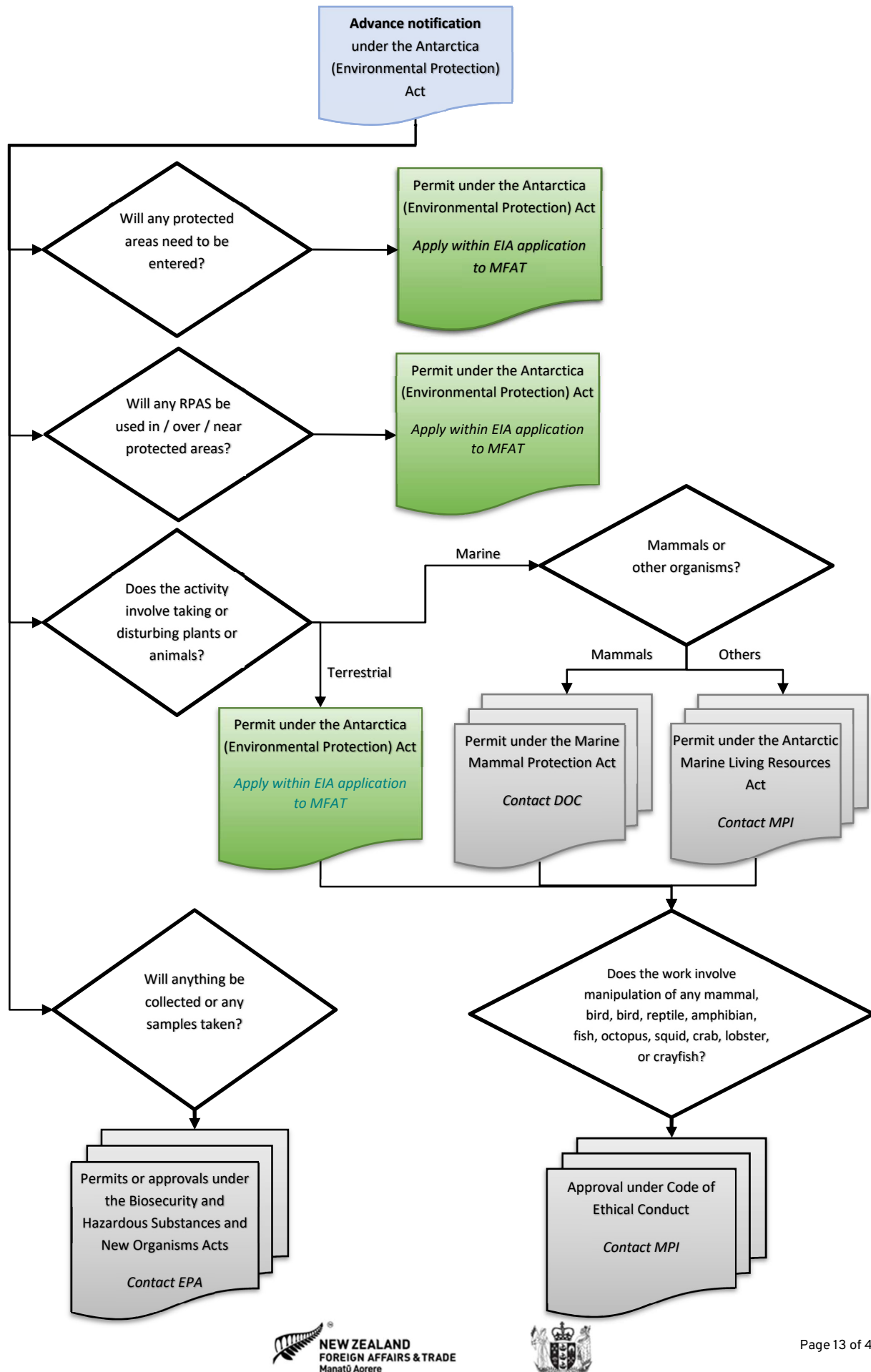
### Please refer to:

- [Antarctic Treaty Guidelines for preparing an EIA \(ATS\)](https://documents.ats.aq/recatt/att605_e.pdf) (Revised Guidelines for Environmental Impact Assessment in Antarctica 2016 ([https://documents.ats.aq/recatt/att605\\_e.pdf](https://documents.ats.aq/recatt/att605_e.pdf)))
- [Antarctica \(Environmental Protection\) Act 1994 No 119 \(as at 28 October 2021\), Public Act 28 Acts prohibited except in accordance with permit – New Zealand Legislation](https://www.legislation.govt.nz/act/public/1994/0119/latest/link.aspx?id=DLM343280#DLM343280) (<https://www.legislation.govt.nz/act/public/1994/0119/latest/link.aspx?id=DLM343280#DLM343280>)

See Appendix 8 of this guide EIA Resources for more external information.

Inquiries and EIA submissions should be made to [Antarctica@mfat.govt.nz](mailto:Antarctica@mfat.govt.nz).

Figure 3: Identify the particular approvals and permits which may be required for your activity



### 3.2.1 Permits under the Antarctica (Environmental Protection) Act

Under the Act (ss 27-28) the following activities are prohibited, except in accordance with a permit:

- removing or damaging any part of or the contents of any Historic Site or Monument;
- entering or carrying out any activity in an Antarctic Specially Protected Area (ASPA);
- taking or attempt to take any native bird or native mammal or native invertebrate in Antarctica;
- removing or damaging native plants so that their local distribution or abundance is significantly affected;
- harmfully interfering with native plants, native mammals, native birds or native invertebrates;
- introducing any species of non-native animal, non-native plant or non-native micro-organism;
- importing any non-sterile soil into Antarctica.

Any such activities should be clearly identified within the EIA document, to allow consideration of the application for a permit at the same time as the EIA. Following consideration the Minister will notify the applicant whether the activity may be carried out and issue or decline to issue permit(s), with or without **conditions** attached. Any permits granted and any conditions they are subject to, will be included as a section within your **Notification of approval** of activities. These conditions are imposed to minimise / avoid impacts in order to protect the environment.

**Note that all historic huts in the Ross Sea region are designated as Antarctic Specially Protected Areas and require a permit for entry.** For more information on visiting historic huts in the Ross Sea region please refer to the New Zealand Antarctic Heritage Trust website [www.nzaht.org](http://www.nzaht.org). A map and list of all protected areas in the Ross Sea region is provided in Appendix 4.

Note that only these types of permits are considered within the EIA process, as required by the Antarctica (Environmental Protection) Act 1994. For all other activities requiring approvals or permits you have to contact other government agencies, or other countries as described in the following sections of this guide.



### 3.3 Obtain the appropriate approvals

If the proposed activities described in your EIA are approved by the Minister of Foreign Affairs under the Antarctica (Environmental Protection) Act, then you will receive a **Notification of approval** of activities document. This notification will include specific ministerial directions, and any special permits granted with possible specific permit conditions applied.

In addition to this, depending on the specific activities proposed **you may need to apply for separate permits or permissions through other government agencies, or other countries:**

#### 3.3.1 Other Permits required under separate New Zealand legislation

##### 3.3.1.1 Permits under the Antarctic Marine Living Resources Act

The purpose of the Antarctic Marine Living Resources (AMLR) Act is to give effect to the Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR). The AMLR Act applies to any marine organism of any species found within the area south of the Antarctic Convergence. Under the AMLR Act no marine organism, alive or dead, may be taken<sup>1</sup> from the area without a permit from the Minister of Oceans and Fisheries. This applies to both scientific and exploratory commercial fishing activities. Commercial fishing vessels are required to carry both New Zealand and international observers. The Ministry for Primary Industries manages this process and can be contacted for further information and inquiries:

MPI Fisheries Head Office  
Charles Fergusson Building  
38 Bowen St  
Pipitea  
PO Box 2526  
Wellington 6140  
Phone: 0800 00 83 33  
(overseas line+64 4 830 1574)  
Email: [info@mpi.govt.nz](mailto:info@mpi.govt.nz)  
Website: [www.fish.govt.nz](http://www.fish.govt.nz)

##### 3.3.1.2 Permits under the Marine Mammal Protection Act 1978

This Act provides for the protection, conservation and management of marine mammals. It applies to New Zealand and its territorial waters, including within 12 nautical miles of the Ross Dependency and the internal waters of the Ross Sea, and to all New Zealand vessels wherever they may be. Under the Act, a permit from the Minister of Conservation is required to hold in captivity or take<sup>2</sup> a marine mammal (seal, whale, dolphin, porpoise, dugong or manatee), whether alive or dead. For further information and application inquiries contact:

Department of Conservation  
Permissions Advisor (Support)  
Private Bag 4715  
Christchurch Mail Centre  
Christchurch 8140  
Phone: +64 3 371 3700  
Email: [permissionschristchurch@doc.govt.nz](mailto:permissionschristchurch@doc.govt.nz)  
Website: [www.doc.govt.nz](http://www.doc.govt.nz)

<sup>1</sup> 'take' includes to take, catch, kill, injure, attract, poison, tranquillise, herd, harass, disturb, or possess; to brand, tag, mark, or do any similar thing; or to attempt to do any of these things (Antarctic Marine Living Resources Act 1981, section 2).

<sup>2</sup> 'take' includes to take, catch, kill, injure, attract, poison, tranquillise, herd, harass, disturb or possess; to brand, tag mark or do any similar thing; to flense, render down or separate any part from a carcass; or to attempt any of these things (Marine Mammals Protection Act 1978 section 2).

### 3.3.1.3 Approvals under the Hazardous Substances and New Organisms Act 1996

Under this Act, approval is required to import a species that has not been brought into New Zealand since the Act came into force. The Act provides for rapid assessment of applications to import species that cannot survive in the New Zealand environment. For more information see <https://epa.govt.nz/assets/Uploads/Documents/EPA-Publications/Hazardous-substances-enforcement-under-the-HSNO-Act-1996.pdf>

Environmental Protection Authority  
Private Bag 63002  
Wellington 6140  
New Zealand  
Email: [info@epa.govt.nz](mailto:info@epa.govt.nz)  
Website: [Protecting our way of life | EPA](https://www.epa.govt.nz)  
[www.epa.govt.nz](https://www.epa.govt.nz)

### 3.3.1.4 Permits under the Biosecurity Act 1993

The Biosecurity Act aims to exclude unwanted organisms from New Zealand. Under the Act, the importation of any plants, animals or plant or animal products must be in accordance with an existing Import Health Standard and/or an Import Health Permit. For further information and application inquiries contact:

Biosecurity New Zealand  
PO Box 2526  
WELLINGTON  
Telephone +64 4 470 2754  
Facsimile +64 4 498 9888  
Website [www.biosecurity.govt.nz](https://www.biosecurity.govt.nz)

### 3.3.1.5 Animal Welfare Act 1999

Under this Act, nobody may carry out research, testing, or teaching involving the use of animals (including mammals, birds, fish and other animals as defined under the Act) unless they are by contract working under an approved code of ethical conduct. Most research institutions have an Animal Ethics Committee with an approved code. For any research involving animals, a copy of a valid approval from the researcher's institution should be included with the EIA documentation to demonstrate compliance with the Act's requirements. Further information can be provided by the Ministry of Primary Industries (MPI):

Ministry for Primary Industries  
PO Box 2526  
Wellington 6140  
New Zealand  
Email [animal.welfare@mpi.govt.nz](mailto:animal.welfare@mpi.govt.nz)  
Freephone: 0800 00 83 33 (If calling from overseas, phone +64 4 830 1574)  
Website [www.mpi.govt.nz](https://www.mpi.govt.nz)

### 3.3.1.6 Trade in Endangered Species Act 1989

The object of this Act is to enable New Zealand to fulfil its obligations under the Convention on International Trade in Endangered Species of Wild Fauna and Flora and to promote the management, conservation, and protection of endangered, threatened, and exploited species to further enhance the survival of those species. For further information and applications inquiries contact:

Department of Conservation  
Phone: +64 4 471 0726  
Email: [enquiries@doc.govt.nz](mailto:enquiries@doc.govt.nz)  
Website: [www.doc.govt.nz](https://www.doc.govt.nz)

### 3.3.1.7 Maritime Transport Act

The Maritime Transport Act is the New Zealand domestic enabling legislation that implements the International Convention on the Prevention of Pollution from Ships (MARPOL) in New Zealand law. Specific provisions of the convention apply to ships operating in Antarctic waters.

In particular, provisions regulate the discharge of oil or oily mixtures into the sea, the disposal of garbage and the discharge of sewage at sea. These provisions are referred to in Annex IV of the Protocol with the intent that Parties will comply with these and any other regulations that subsequent reviews of MARPOL might deem appropriate.

Under the Maritime Transport Act, Maritime New Zealand has certain responsibilities in Antarctica, as in other areas of the world. These include the provisions that relate to the qualifications of seamen and the crewing of ships, the standards for the ships themselves, the operation of the ships, communications, and search and rescue. Maritime Safety Inspectors check all ships, New Zealand or foreign, calling into New Zealand ports and heading to Antarctica for both crew and ship standards and documentation. Maritime NZ also conducts investigations into maritime accidents and incidents in Antarctica, and prosecutes as necessary.

### 3.3.2 Visiting Antarctic Bases and Field Stations

If you wish to visit any Antarctic Bases, you must get permission from the relevant Base. Please be aware that visits cannot always be accommodated.

The New Zealand Antarctic Base is Scott Base. If you wish to visit Scott Base, you must get permission from Antarctica New Zealand's General Manager for Operations, Simon Trotter before you depart.:

Phone: +64 3 358 0200

Email: [s.trotter@antarcticnz.govt.nz](mailto:s.trotter@antarcticnz.govt.nz)

In addition your visit details must be confirmed with the Scott Base Leadership Team 24-72 hours in advance of your arrival.

Phone: +64 2 409 9700

Email: [comms@scott.aq](mailto:comms@scott.aq)

You also need permission from the Scott Base Leadership Team before visiting any other New Zealand field stations.

### 3.3.3 Permits to visit New Zealand's sub-Antarctic islands

Although New Zealand's sub-Antarctic islands are outside the Antarctic Treaty area, they are sometimes in the itineraries of Antarctic voyages. It is important to be aware that the Antipodes Islands, Auckland Islands, Bounty Island, Campbell Island and the Snares Islands are all strictly protected as national nature reserves, administered by the New Zealand Department of Conservation (DOC) under the Reserves Act 1977. All tourist landings at the islands are prohibited except under permit from DOC. A DOC representative may be on board the vessels to share their knowledge and enhance the trip. They will also assist the expedition leader to ensure all permit requirements are complied with. For further DOC information and inquiries contact:

Department of Conservation

Southern Islands Area Manager

DOC Murihiku / Invercargill Office

Telephone +64 3 211 2400

E-mail : [invercargill@doc.govt.nz](mailto:invercargill@doc.govt.nz)

Website: <https://www.doc.govt.nz/>

[Visiting the Sub-Antarctic Islands-DOC](https://www.doc.govt.nz/parks-and-recreation/places-to-go/southland/places/subantarctic-islands/visiting-the-subantarctic-islands/)

(<https://www.doc.govt.nz/parks-and-recreation/places-to-go/southland/places/subantarctic-islands/visiting-the-subantarctic-islands/>)

### 3.3.4 Visiting Australia's Macquarie Island

This island is part of the Australian state of Tasmania. The island and surrounding waters are a nature reserve and part of a World Heritage Area. Access requires written permission from the Director of National Parks and Wildlife. For further information and inquiries contact:

Australian National Parks and Recreation

Website: <https://parks.tas.gov.au>

[Guidelines for Tourist Visits to Macquarie Island \(Australian National Parks and Recreation\)](https://parks.tas.gov.au/explore-our-parks/macquarie-island-world-heritage-area)

<https://parks.tas.gov.au/explore-our-parks/macquarie-island-world-heritage-area>

### 3.4 Provide details of your contingency plans and insurance

This is the next requirement before the activity can proceed.

#### 3.4.1 Antarctic Treaty Recommendation XVIII-I

Recommendation XVIII-I, agreed at the 1994 Antarctic Treaty Consultative Meeting (ATCM), provides guidance for those planning tourism and other non-government activities in the Antarctic, as well as guidelines for any visitor. New Zealand procedures relating to several of the points contained in the Recommendation have already been covered in this document. The Recommendation is reproduced in full in Appendix 1 of this guide and covers the following additional areas:

- safety and self-sufficiency of operations
- contingency planning
- waste disposal
- training and education

The main ATCM regulations and guidelines for tourists and expedition organizers are compiled in the Manual of Regulations and Guidelines Relevant to Tourism and Non-Governmental Activities in the Antarctic Treaty area, adopted by ATCM XLIII through Decision 6 (2021). Manual of Tourism and Non-Gov Activities 2021 ([https://documents.ats.aq/atcm43/ww/atcm43\\_ww005\\_e.pdf](https://documents.ats.aq/atcm43/ww/atcm43_ww005_e.pdf)) from the Tourism and non Governmental Activities | Antarctic Treaty (ats.aq).

#### 3.4.2 Insurance and Contingency Planning: Measure 4 (2004) and Resolution 4 (2004)

Measure 4 (2004) Insurance and Contingency Planning for Tourism and Non-Governmental Activities in the Antarctic Treaty Area and Resolution 4 (2004) Antarctic Treaty Guidelines on Contingency planning, insurance and other matters for tourist and other non-governmental activities in the Antarctic Treaty area ([https://documents.ats.aq/recatt/Att225\\_e.pdf](https://documents.ats.aq/recatt/Att225_e.pdf)) were adopted at the 2004 ATCM.

New Zealand has approved Measure 4 (2004), which requires people planning tourist or other non-governmental activities in Antarctica to demonstrate that they have appropriate contingency plans, sufficient arrangements for health and safety, search and rescue, medical care and evacuation, and adequate insurance or other arrangements to cover the associated costs. It is reproduced in full in Appendix 2 of this guide.

The effect of Measure 4 (2004) and Resolution 4 (2004) is that all those organising tourist and non-governmental activities in Antarctica need to have appropriate contingency plans and adequate insurance in place. Information about these plans and insurance must be provided as part of the Advance Notification process (see 3.1 of this guide, and Section C of the New Zealand Advance Notification form linked to in Appendix 3 of this guide). It will be a general condition of all environmental impact assessment notifications to maintain such plans and insurance (see 3.4). The Advanced Notification form can also be updated when the full information may be known.

### 3.5 National Representatives

Since an arrangement between New Zealand authorities and tour operators in the 1970s, it has become established practice for commercial tours intending to land in the Ross Dependency to be accompanied by a national representative of the New Zealand Government. The Antarctic (Environmental Protection) Act 1994 applies to Antarctic expeditions departing from New Zealand, including the Minister of Foreign Affairs' power to appoint an inspector to a vessel. Having an inspector appointed may be a condition for an expedition's approval. Being accompanied by a Representative may be a condition of an expedition's approval or specific permits. See Appendix 6 of this guide for further detail.

### 3.6 Post-activity reporting

Under Antarctic Treaty Recommendation XVIII-1 and Resolution 3 (1995), reports on the activities are to be completed by any person(s), companies or organisations visiting the Antarctic continent or any island or territory within the Antarctic Treaty region for the purposes of recreation or tourism. The information is to be provided to the appropriate national authorities (in this case MFAT). The reports and their requirements are described in Ministerial Directions in the Notification of approval.

1. **Post visit report form** (provided by the Antarctic Treaty (ATS))

- This provides mostly quantitative data information for the ATS to contribute to analysis of the scope, frequency and intensity of tourism and non-governmental activities.
- The form consists of two parts: an Expedition Record (Part 1) and a Site Visit Record (Part 2) which must be completed by the Expedition leader or Captain and submitted to an appropriate national authority.
  - The Expedition Record (Part 1) must be completed for every expedition to the Antarctic region regardless of whether any landings or visits to sites were made.
  - The Site Visit Record (Part 2) should only be completed if visits or landings were made to sites in the Antarctic region. Site Visits conducted exclusively by cruise-only vessels can include waterways.

2. **Final Post Activity Environmental Performance Report** (provided by MFAT)

- This provides qualitative data, describing the activities that actually occurred and their actual impacts, measured against the approved EIA and any ministerial directions and permit conditions that were set.
- If the activity approved covers multiple years, then Annual Interim Environmental Performance Reports will also be required.

The report forms provided in Appendix 7 of this guide should be completed and provided to MFAT within one month of the end of the activity (or by the date specified in the Notification of Approval), along with any other reports specified in Ministerial directions or permit conditions, including safety.

IAATO, the International Association of Antarctica Tourism Operators, maintains a database of Antarctic tourism activities and also requests that post-activity reports of tourist activities be provided to it for the purposes of the database.



# 4.FURTHER INFORMATION

The following information should also be taken into consideration when planning activities in Antarctica.

## 4.1 Safety in the Antarctic

Ensuring safety of operations in the Antarctic requires specialised planning, procedures and equipment due to the extreme environment and the isolation. An inadequate vessel or other equipment, or poor operations by any party, could result in both risk to human life and environmental damage.

As noted in 3.4.1 and 3.4.2 above, self-sufficiency of private expeditions, including contingency plans, is necessary. Maritime New Zealand can be contacted (Maritime NZ <https://www.maritimenz.govt.nz/>) for further information on distress and radio services and search and rescue available from New Zealand in the Antarctic. National science programmes in the region should not be assumed to provide safety coverage unless formal arrangements have been made.

The following general guidelines are offered to assist organisers, in their planning, to take appropriate account of the particular risks of operations in the Antarctic. Points relevant to safety in Recommendation XVIII-1 (Appendix 1), Measure 4 (2004) and Resolution 4 (2004) (Appendix 2) should also be consulted.

## New Zealand General Guidelines for Safety in the Antarctic

### Contingency Planning

New Zealand requires the preparation of a comprehensive safety plan and operations manual by Antarctic governmental and non-governmental operators.

Contingency plans should be developed for all activities based on the principle of self-rescue (i.e. under all normal circumstances operations are planned and conducted in such a way that there are sufficient resources under the party's control to carry out a rescue operation if required).

As part of the application process and prior to the proposed activities occurring, you must send us evidence that you have:

contingency plans and sufficient arrangements for health and safety, search and rescue, and medical care and evacuation.

adequate insurance or other arrangements to cover the costs of search and rescue, and medical care and evacuation.

If these arrangements rely on other operators or national Antarctic programmes, you must have their written agreement. If you don't have the support of other operators or a national programme there are extra requirements you need to meet. You will have to provide proof of these requirements, which include:

- equipment in good working order with back-ups
- participants who are prepared medically, physically and psychologically
- participants who can use equipment properly
- first-aid equipment and experience.

Please use:

[Antarctic Treaty Guidelines on Contingency planning, insurance and other matters for tourist and other non-governmental activities in the Antarctic Treaty area \(https://documents.ats.ag/recatt/Att225\\_e.pdf\)](https://documents.ats.ag/recatt/Att225_e.pdf)

### **Equipment and training**

- Ships, small boats and vehicles should be adequate for Antarctic conditions, and pilots or drivers fully trained for their use. Passengers should be appropriately briefed on safe use and emergency procedures relevant to the craft.
- All expedition members should wear adequate clothing for the conditions and in the case of inexperienced participants, this should be subject to stringent checking to help avoid hypothermia.
- Expedition membership should comprise sufficient individuals with adequate knowledge and experience for survival situations, such as first aid qualifications and snow-craft and other outdoor skills.

### **Activities away from the ship or base**

- Designate a back-up vehicle, vessel or party.
- Carry a radio or satellite phone capable of contacting the ship or base and other members of the expedition, and make regular checks.
- Carry adequate survival equipment or limit activity to numbers of people and distance from base which allow rapid rescue. A useful limit is the one hour rule, i.e. that the a maximum distance that any party (either by foot, sea or air) travels away from the ship or base as is the distance the designated back-up from the base can travel in one hour. The number of people travelling should be limited by the carrying capacity of the back-up, if applicable.

### **Charts and Information**

- All expeditions should obtain the most up-to-date and reliable information as is available, including sourcing charts and maps and consulting the "Notice to Mariners" (see relevant organisations in Appendix 9 of this guide).

# 5. GLOSSARY

For the purposes of this document, the following acronyms apply.

Acronyms	
AHT	Antarctic Heritage Trust
AMLR	Antarctic Marine Living Resources Act
ASMA	Antarctic Specially Managed Area, designated under Annex V of the Protocol on Environmental Protection to the Antarctica Treaty
ASPA	Antarctic Specially Protected Area, designated under Annex V of the Protocol on Environmental Protection to the Antarctica Treaty
ATCM	Antarctic Treaty Consultative Meeting
CCAMLR	Convention for the Conservation of Antarctic Marine Living Resources
CEE	Comprehensive Environmental Evaluation
CEP	Committee for Environmental Protection
COMNAP	Council of Managers of National Antarctic Programs
DOC	Department of Conservation
EARP	Environmental Assessment and Review Panel
EIA	Environmental Impact Assessment
EPA	Environmental Protection Authority
IAATO	International Association of Antarctic Tour Operators
IEE	Initial Environmental Evaluation
MARPOL	International Convention on the Prevention of Pollution from Ships
MFAT	Ministry of Foreign Affairs and Trade
MPI	Ministry for Primary Industries
PEE	Preliminary Environmental Evaluation
ROV	Remotely Operated Vehicles. This can include underwater vehicles.

RPAS (or UAV / ROV / Drone)	Remotely Piloted Aircraft Systems (also known as Unmanned Aerial Vehicles (UAV), Remotely Operated Vehicles (ROV) / Drone )
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# APPENDIX

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## Appendix 1 Antarctic Treaty Recommendation XVIII-1

In response to increasing tourism and other visitors to the Antarctic, and the need to implement the Protocol on Environmental Protection to the Antarctic Treaty, the eighteenth Antarctic Treaty Consultative Meeting agreed to circulate widely and as quickly as possible the *Guidance for Visitors to the Antarctic*, and the *Guidance for Those Organising and Conducting Tourism and Non-Governmental Activities in the Antarctic* documents set out below.

The Treaty Parties urge those intending to visit or organise and conduct tourism and non-governmental activities in the Antarctic to act in accordance with this guidance, consistent with the relevant provisions of their applicable national law.

### Guidance for Visitors to the Antarctic

This is intended to ensure that all visitors are aware of, and are therefore able to comply with, the Treaty and the Protocol. Visitors are bound by national laws and regulations applicable to activities in the Antarctic.

#### A. Protect Antarctic Wildlife

Taking or harmful interference with Antarctic wildlife is prohibited except in accordance with a permit issued by a national authority.

1. Do not use aircraft, vessels, small boats, or other means of transport in ways that disturb wildlife, either at sea or on land.
2. Do not feed, touch, or handle birds or seals, or approach or photograph them in ways that cause them to alter their behaviour. Special care is needed when animals are breeding or moulting.
3. Do not damage plants, for example by walking, driving, or landing on extensive moss beds or lichen-covered scree slopes.
4. Do not use guns or explosives. Keep noise to the minimum to avoid frightening wildlife.
5. Do not bring non-native plants or animals into the Antarctic (eg live poultry, pet dogs and cats, house plants).

#### B. Respect Protected Areas

A variety of areas in the Antarctic have been afforded special protection because of their particular ecological, scientific, historic or other values. Entry into certain areas may be prohibited except in accordance with a permit issued by an appropriate national authority. Activities in and near designated Historic Sites and Monuments and certain other areas may be subject to special restrictions.

1. Know the location of areas that have been afforded special protection and any restrictions regarding entry and activities that can be carried out in and near them.
2. Observe applicable restrictions.
3. Do not damage, remove or destroy Historic Sites or Monuments, or any artefacts associated with them.

#### C. Respect Scientific Research

Do not interfere with scientific research, facilities or equipment.

1. Obtain permission before visiting Antarctic science and logistic support facilities; reconfirm arrangements 24-72 hours before arriving; and comply strictly with the rules regarding such visits.

2. Do not interfere with, or remove, scientific equipment or marker posts, and do not disturb experimental sites, field camps, or supplies.

#### **D. Be Safe**

Be prepared for severe and changeable weather. Ensure that your equipment and clothing meeting Antarctic standards. Remember that the Antarctic environment is inhospitable, unpredictable and potentially dangerous.

1. Know your capabilities, the dangers posed by the Antarctic environment, and act accordingly. Plan activities with safety in mind at all times.
2. Keep a safe distance from all wildlife, both on land and at sea.
3. Take note of, and act on, the advice and instructions from your leaders; do not stray from your group.
4. Do not walk onto glaciers or large snow fields without proper equipment and experiences; there is a real danger of falling into hidden crevasses.
5. Do not expect a rescue service; self sufficiency is increased and risks reduced by sound planning, quality equipment, and training personnel.
6. Do not enter emergency refuges (except in emergencies). If you use equipment or food from a refuge, inform the nearest research station or national authority once the emergency is over.
7. Respect any smoking restrictions, particularly around buildings, and take great care to safeguard against the danger of fire. This is a real hazard in the dry environment of Antarctica.

#### **E. Keep Antarctica Pristine**

Antarctica remains relatively pristine, and has not yet been subjected to large scale human perturbations. It is the largest wilderness area on earth. Please keep it that way.

1. Do not dispose of litter or garbage on land. Open burning is prohibited.
2. Do not disturb or pollute lakes or streams. Any materials discarded at sea must be disposed of properly.
3. Do not paint or engrave names or graffiti on rocks or buildings.
4. Do not collect or take away biological or geological specimens or man-made artefacts as a souvenir, including rocks, bones, eggs, fossils, and parts or contents of buildings.
5. Do not deface or vandalise buildings, whether occupied, abandoned, or unoccupied, or emergency refuges.



## **Guidance for those Organising and Conducting Tourism and Non-Government Activities in the Antarctic**

Antarctica is the largest wilderness on earth, unaffected by the large scale human activities. Accordingly, this unique and pristine environment has been afforded special protection. Furthermore, it is physically remote, inhospitable, unpredictable and potentially dangerous. All activities in the Antarctic Treaty Area, therefore, should be planned and conducted with both environmental protection and safety in mind.

Activities in the Antarctic are subject to the Antarctic Treaty of 1959 and associated legal instruments, referred to collectively as the Antarctic Treaty system. These include the Convention for the Conservation of Antarctic Seals (CAS)(1972), the convention for the Conservation of Antarctic Marine Living Resources (CCAMLR)(1980) and the Recommendations and other measures adopted by the Antarctic Treaty Consultative Parties under the Antarctic Treaty.

In 1991, the Consultative Parties to the Antarctic Treaty adopted the Protocol on Environmental Protection to the Antarctic Treaty. This Protocol sets out environmental principles, procedures and obligations for the comprehensive protection of the Antarctic environment, and its dependent and associated ecosystems. The Consultative Parties have agreed that, pending its entry into force, as far as possible and in accordance with their legal systems, that the provisions of the Protocol should be applied as appropriate.

The Environmental Protocol designates Antarctica as a natural reserve devoted to peace and science, and applies to both governmental and non-governmental activities in the Antarctic Treaty Area. The Protocol seeks to ensure that human activities, including tourism, do not have adverse impacts on the Antarctic environment, nor on its scientific and aesthetic values.

The Protocol states, as a matter of principle that all activities are planned and conducted on the basis of information sufficient to evaluate their possible impact on the Antarctic environment and its associated ecosystems, and on the value of Antarctica for the conduct of scientific research. Organisers should be aware that the Environmental Protocol requires that "activities shall be modified, suspended or cancelled if they result in or threaten to result in impacts upon the Antarctic environment or dependent or associated ecosystems".

Those responsible for organising and conducting tourism and non-governmental activities must comply fully with national laws and regulations which implement the Antarctic Treaty system, as well as other national laws and regulations implementing international agreements on environmental protection, pollution and safety that related to the Antarctic Treaty Area. They should also abide by the requirements imposed on organisers and operators under the Protocol on Environmental Protection and its Annexes, in so far as they have not yet been implemented in national law.

### **Key Obligations on Organisers and Operators**

1. Provide prior notification of, and reports on, their activities to the competent authorities of the appropriate Party or Parties.
2. Conduct an assessment of the potential environmental impacts of their planned activities.
3. Provide for effective response to environmental emergencies, especially with regard to marine pollution.
4. Ensure self-sufficiency and safe operations.
5. Respect scientific research and the Antarctic environment, including restrictions regarding protected areas, and the protection of flora and fauna.
6. Prevent the disposal and discharge of prohibited waste.

## Procedures to be Followed by Organisers and Operators

### A. When Planning to go to the Antarctic

Organisers and operators should:

1. Notify the competent national authorities of the appropriate Party or Parties of details of their planned activities with sufficient time to enable the Party(ies) to comply with their information exchange obligations under Article VII (5) of the Antarctic Treaty.
2. Conduct an environmental assessment in accordance with such procedures as may have been established in national law to give effect to Annex I of the Protocol, including, if appropriate, how potential impacts will be monitored.
3. Obtain timely permission from the national authorities responsible for any station they propose to visit.
4. Provide information to assist in the preparation of: contingency response plans in accordance with Article 15 of the Protocol; waste management plans in accordance with Annex III of the Protocol; and marine pollution contingency plans in accordance with Annex IV of the Protocol.
5. Ensure that expedition leaders and passengers are aware of the location and special regimes which apply to Specially Protected Areas and Sites of Special Scientific Interest (and on entry into force of the Protocol, Antarctic Specially Protected Areas and Antarctic Specially Managed Areas) and of Historic Sites and Monuments and, in particular, relevant management plans.
6. Obtain a permit, where required by national law, from the competent national authority of the appropriate Party or Parties, should they have reason to enter such areas, or a monitoring site designated under CCAMLR.
7. Ensure that activities are fully self-sufficient and do not require assistance from parties unless arrangements for it have been agreed in advance.
8. Ensure that they employ experienced and trained personnel, including a sufficient number of guides.
9. Arrange to use equipment, vehicles, vessels, and aircraft appropriate to Antarctic operations.
10. Be fully conversant with applicable communications, navigation, air traffic control and emergency procedures.
11. Obtain the best available maps and hydrographic charts, recognising that many areas are not fully or accurately surveyed.
12. Consider the question of insurance (subject to requirements of national law).
13. Design and conduct information and education programmes to ensure that all personnel and visitors are aware of relevant provisions of the Antarctic Treaty system.
14. Provide visitors a copy of the Guidelines for Visitors to the Antarctic.

### B. When in the Antarctic Treaty Area

Organisers and operators should:

1. Comply with all requirements of the Antarctic Treaty system, and relevant national laws, and ensure that visitors are aware of the requirements that are relevant to them.
2. Reconfirm arrangements to visit stations 24-72 hours before their arrival and ensure that visitors are aware of any conditions or restrictions established by the station.
3. Ensure that visitors are supervised by a sufficient number of guides who have adequate experience and training in Antarctic conditions and knowledge of the Antarctic Treaty system requirements.
4. Monitor environmental impacts of their activities, if appropriate, and advise the competent national authorities of the appropriate Party or Parties of any adverse or commutative impacts resulting from an activity, but which were not foreseen by their environmental impact statement.

5. Operate ships, small boats, aircraft, hovercraft, and all other means of transport safely and according to appropriate procedures, including those set out in the Antarctic Flight Information Manual (AFIM).
6. Dispose of any waste materials in accordance with Annex V of the Protocol. These annexes prohibit, among other things, the discharge of plastics, oil and noxious substances into the Antarctic Treaty Area; regulate the discharge of sewage and food waste; and require the removal of most waste from the area.
7. Cooperate fully with observers designated by Consultative Parties to conduct inspections of stations, ships, aircraft and equipment under Article VII of the Antarctic Treaty, and those to be designated under Article 14 of the Environmental Protocol.
8. Cooperate in monitoring programmes undertaken in accordance with Article 3(2) of the Protocol.
9. Maintain a careful and complete record of their activities conducted.

### **C. On Completion of the Activities**

Within three months of the end of the activity, organisers and operators should report on the conduct of it to the appropriate national authority in accordance with national laws and procedures. Reports should include the name, details and state of registration of each vessel or aircraft used and the name of their captain or commander; actual itinerary; the number of visitors engaged in the activity; places, dates and purposes of landings and the number of visitors landed on each occasion; any meteorological observations made, including those made as part of the World Meteorological Organisation (WMO) Voluntary Observing Ships Scheme; any significant changes in activities and their impacts from those predicted before the visit was conducted; and action taken in case of emergency.

### **D. Antarctic Treaty System Documents and Information**

Most Antarctic Treaty Parties can provide, through their national contact points, copies of relevant provisions of the Antarctic Treaty system and information about national laws and procedures, including:

- The Antarctic Treaty (1959)
- Convention on the Conservation of Antarctic Seals (1972)
- Convention on the Conservation of Marine Living Resources (1980)
- Protocol on Environmental Protection to the Antarctic Treaty
- Final Reports of Consultative Meetings
- Handbook of the Antarctic Treaty System

## Appendix 2 Measure 4 (2004) and Resolution 4 (2004)

### MEASURE 4 (2004) INSURANCE AND CONTINGENCY PLANNING FOR TOURISM AND NON GOVERNMENTAL ACTIVITIES IN THE ANTARCTIC TREATY AREA

The Representatives,

*Concerned* at the potential impacts, including the imposition of additional costs, that tourist or other non-governmental activities may have on national programmes, and the risks to the safety of those involved in search and rescue operations;

*Desiring* to ensure that tourist or other non-governmental activities undertaken in Antarctica are carried out in a safe and self-sufficient manner;

*Desiring further* to ensure that the risks associated with tourism or other non-governmental activities are fully identified in advance, and minimised;

*Noting* that the “Procedures to be Followed by Organisers and Operators”, as set out in the Attachment to Recommendation XVIII-1, contain some elements relating to self-sufficiency and insurance;

*Recommend* to their Governments the following Measure for approval in accordance with paragraph 4 of Article IX of the Antarctic Treaty:

That Parties shall require those under their jurisdiction organising or conducting tourist or other non-governmental activities in the Antarctic Treaty Area, for which advance notification is required in accordance with Article VII (5) of the Antarctic Treaty, to demonstrate compliance with the following requirements:

- that appropriate contingency plans and sufficient arrangements for health and safety, search and rescue (SAR), and medical care and evacuation have been drawn up and are in place prior to the start of the activity. Such plans and arrangements shall not be reliant on support from other operators or national programmes without their express written agreement; and
- that adequate insurance or other arrangements are in place to cover any costs associated with search and rescue and medical care and evacuation.

**RESOLUTION 4 (2004)**  
**GUIDELINES ON CONTINGENCY PLANNING, INSURANCE AND OTHER MATTERS FOR TOURIST**  
**AND OTHER NON-GOVERNMENTAL ACTIVITIES IN THE ANTARCTIC TREATY AREA**

The Representatives,

*Concerned* at the potential impacts, including the imposition of additional costs, that tourist or other non-governmental activities may have on national programmes, and the risks to the safety of those involved in search and rescue operations;

*Desiring* to ensure that tourist or other non-governmental activities undertaken in Antarctica are carried out in a safe and self sufficient manner;

*Desiring further* to ensure that the risks associated with tourist or other non-governmental activities are fully identified in advance, and minimised;

*Recalling* the “Procedures to be Followed by Organisers and Operators”, as set out in the Attachment to Recommendation XVIII-1;

*Noting* Measure 4 (2004) on “Insurance and Contingency Planning for Tourism and Non-governmental Activities in the Antarctic Treaty Area”, and desiring to take certain steps before it enters into effect to promote its objectives in addition to recommending further guidelines to be followed by those organising or conducting activities without the supervision or support in the field of another operator or a national programme;

*Recommend:*

- That Parties should require those under their jurisdiction organising or conducting tourist or other non-governmental activities in the Antarctic Treaty Area, for which advance notification is required in accordance with Article VII (5) of the Antarctic Treaty, to follow the Guidelines annexed to this Resolution.

**ANNEX 1**  
**GUIDELINES ON CONTINGENCY PLANNING, INSURANCE AND OTHER MATTERS FOR TOURIST**  
**AND OTHER NON-GOVERNMENTAL ACTIVITIES IN THE ANTARCTIC TREATY AREA**

Those organising or conducting tourist or other non-governmental activities in the Antarctic Treaty area should ensure:

1. that appropriate contingency plans and sufficient arrangements for health and safety, search and rescue (SAR), and medical care and evacuation have been drawn-up and are in place prior to the start of the activity. Such plans and arrangements should not be reliant on support from other operators or national programmes without their express written agreement; and
2. that adequate insurance or other arrangements are in place to cover any costs associated with search and rescue and medical care and evacuation.
3. And the following guidelines should also be observed in particular by those organising conducting activities without the supervision or support in the field of another operator or a national programme:
4. that participants have sufficient and demonstrable experience appropriate for the proposed activity operating in polar, or equivalent, environments. Such experience may include survival training in cold or remote areas, flying, sailing or operating other vehicles in conditions and over distances similar to those being proposed in the activity;
5. that all equipment, including clothing, communication, navigational, emergency and logistic equipment is in sound working order, with sufficient backup spares and suitable for effective operation under Antarctic conditions;
6. that all participants are proficient in the use of such equipment;
7. that all participants are medically, physically and psychologically fit to undertake the activity in Antarctica;
8. that adequate first-aid equipment is available during the activity and that at least one participant is proficient in advanced first-aid.



## Appendix 3 Advanced Notification form

Please download the most current version available of:-

**New Zealand Advanced Notification Non-Governmental Activities to Antarctica Form**

(<https://www.mfat.govt.nz/assets/Environment/Antarctica-and-the-Southern-Ocean/New-Zealand-Advanced-Notification-Non-Gov-Activities-to-Antarctica-Form>)

## Appendix 4 Protected areas in the Ross Sea region

The following lists and maps include all Antarctic Specially Protected Areas (ASPAs) in the Ross Sea region. Full management plans for each area can be downloaded from the Antarctica Treaty Secretariat website at:

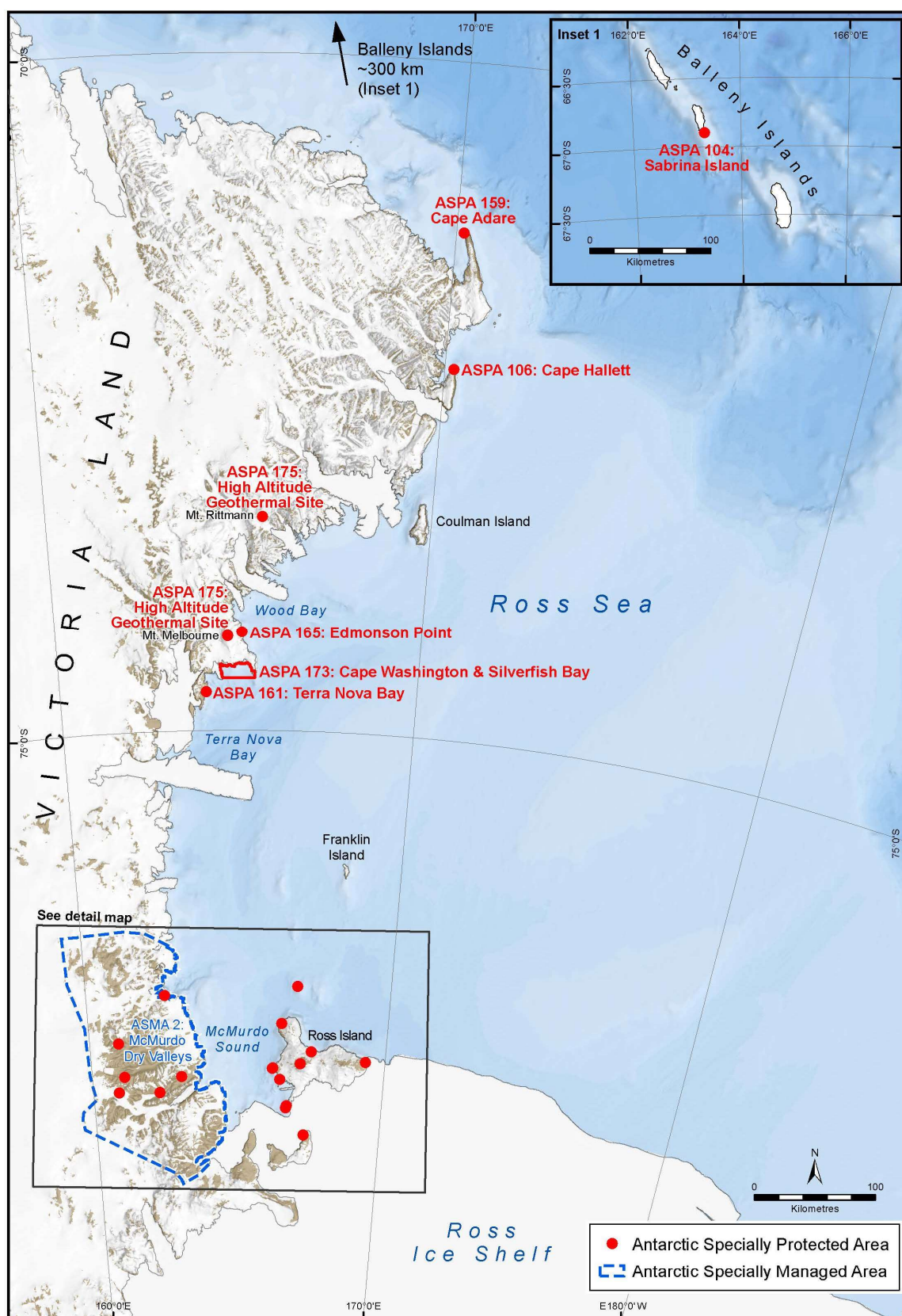
[APA Database | Antarctic Treaty \(ats.aq\)](https://www.ats.aq/devph/en/apa-database)

(<https://www.ats.aq/devph/en/apa-database>)

ASPAs were formerly designated as Specially Protected Areas (SPAs) and Sites of Special Scientific Interest (SSSIs). Current and previous designations of each site are shown below.

ASPA No.	Area Name	Former SPA/SSSI No
104	Sabrina Island, Balleny Islands	SPA 4
105	Beaufort Island, Ross Sea	SPA 5
106	Cape Hallett, Victoria Land	SPA 7
116	New College Valley, Cape Bird, Ross Island	SSSI 10, SPA 20
121	Cape Royds, Ross Island	SSSI 1
122	Arrival Heights, Hut Peninsula, Ross Island	SSSI 2
123	Barwick Valley, Victoria Land	SSSI 3
124	Cape Crozier, Ross Island	SSSI 4
131	Canada Glacier, Lake Fryxell, Taylor Valley, Victoria Land	SSSI 12
137	North West White Island, McMurdo Sound	SSSI 18
138	Linnaeus Terrace, Asgaard Range, Victoria Land	SSSI 19
154	Botany Bay, Cape Geology, Victoria Land	SSSI 37
155	Historic Hut, Cape Evans, Ross Island	SPA 25
156	Lewis Bay, Mount Erebus	SPA 26
157	Historic Hut, Backdoor Bay, Cape Royds, Ross Island	SPA 27
158	Historic Hut, Hut Point, Ross Island	SPA 28
159	Historic Hut, Cape Adare, Borchgrevink Coast	SPA 29
161	Terra Nova Bay, Ross Sea	Not applicable
165	Edmonson Point, Wood Bay, Ross Sea	
172	Lower Taylor Glacier and Blood Falls, Taylor Valley, McMurdo Dry Valleys, Victoria Land	
173	Cape Washington and Silverfish Bay, Terra Nova Bay, Ross Sea	
175	High Altitude Geothermal sites of the Ross Sea region	n/a. replaces ASPAs 118,130

Figure 4: Protected Areas in the Ross Sea region Map A



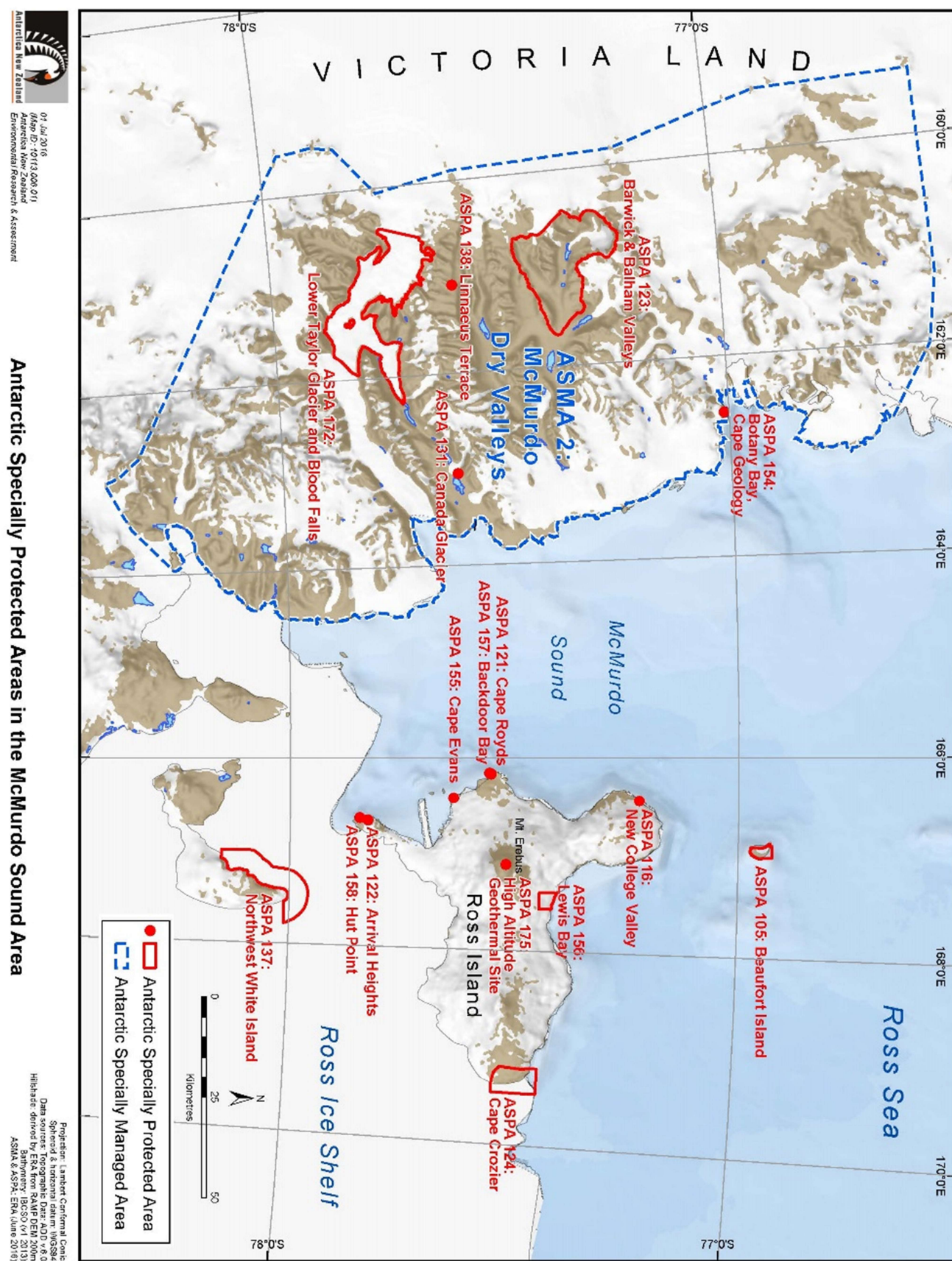
12 Jul 2016  
(Map ID: 10113.005.01)  
Antarctica New Zealand  
Environmental Research & Assessment

### Antarctic Specially Protected Areas in the Ross Sea Region





Figure 5: Protected Areas in the Ross Sea region Map B



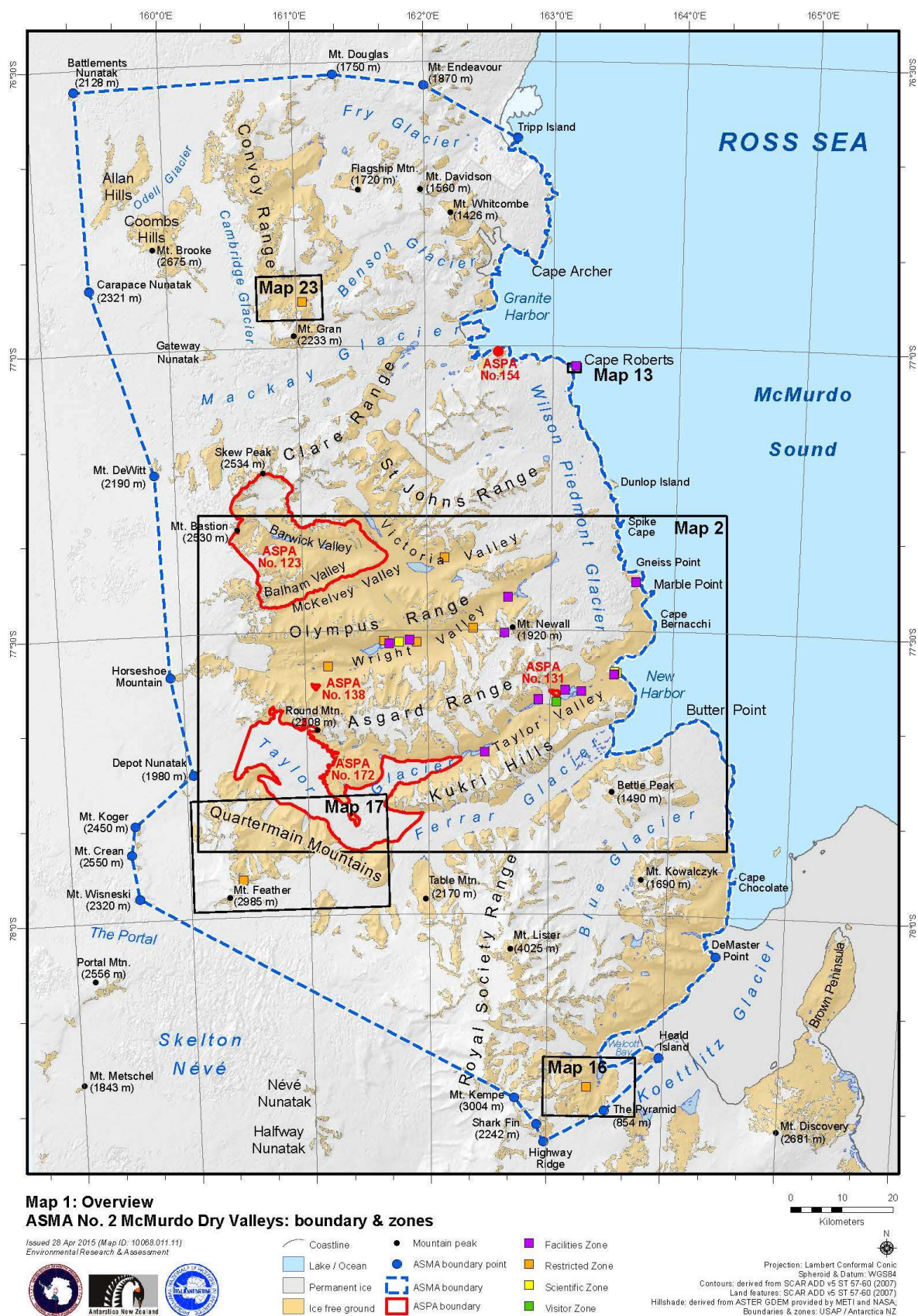
## **Appendix 5 Specially managed area in the Ross Sea region: McMurdo Dry Valleys**

The first Antarctic Specially Managed Areas (ASMA) in the Ross Sea region was designated at the Antarctic Treaty Consultative Meeting in 2004. A map of the ASMA is on the following page. Full management plans for this area can be downloaded from the website:

<http://www.mcmurdodryvalleys.aq>.



Figure 6: McMurdo Valleys Antarctic Specially Managed Area no.2



## Appendix 6 The National Representative scheme

Since an arrangement between New Zealand authorities and tour operators in the 1970s, it has become established practice for commercial tours intending to land in the Ross Dependency to be accompanied by a National Representative of the New Zealand Government. The Antarctic (Environmental Protection) Act 1994 applies to Antarctic expeditions departing from New Zealand, including the Minister of Foreign Affairs' power to appoint an inspector to a vessel. Having an inspector appointed may be a condition for an expedition's approval. Being accompanied by a Representative may be a condition of an expedition's approval or specific permits.

National Representatives are government employees primarily from DOC, MPI, Antarctica NZ or the Defence Force. As expeditions that visit New Zealand's sub-Antarctic islands are usually accompanied by a DOC representative, this same individual may also act as the National Representative for the Antarctic leg of the journey.

National Representatives are formally appointed as general inspectors under the Antarctica (Environmental Protection) Act 1994. This provides them with the necessary statutory authority to carry out their role of on observation and reporting to ensure compliance with the requirements of the Act.

### Role of National Representatives

The role and responsibilities of National Representatives are to observe and report to the Minister on compliance with the requirements of the Antarctica (Environmental Protection) Act and any other approvals including:

- permits relating to conservation of Antarctic fauna and flora, protected areas and marine mammals;
- any management plans and/or permits applying to any Antarctic Specially Protected Area or any Antarctic Specially Managed Area, or to any other restricted area or site (see 4.3);
- any plant or animal quarantine regulations or procedures;
- any Ministerial direction in respect of EIA;
- compliance with Recommendation XVIII-1, and Resolution 3 of the Antarctic Treaty;
- report on the general conduct of tour operators and visitors, including noting any significant departures from activities specified in the environmental impact assessment and the relevant legislation;
- any other activities relating to the implementation of the Act or other New Zealand Antarctic law or policy.

In cooperation with tour operators, the National Representative may provide briefings, lectures or site interpretation in their areas of expertise.

### Appointment of National Representatives

National representatives are government employees primarily from DOC, MPI, Antarctica NZ or the Defence Force. National representatives are appointed as general inspectors under the provisions of s 39-41, 44, 49 and 50 of the Act. This provides them with the necessary statutory backing and protection for their existing role, which is focused on observation and reporting to ensure compliance with the requirements of the Antarctica (Environmental Protection) Act.

To ensure the safety of National Representatives, the New Zealand Government requires standards of operation to be consistent with the *Health and Safety in Employment Act*.

National representatives are New Zealand residents who have sufficient:

- knowledge of Antarctic/sub-Antarctic legislation, management, science and conservation;
- experience in the Antarctic and/or sub-Antarctic regions;
- experience in outdoor safety requirements (ie survival/field training); and
- are physically fit and proficient in communication and public relations skills.

National Representatives are observers and not safety officers. Accordingly they are not required to undertake any activity that might put their personal safety at risk. They cannot be expected to take any responsibility whatsoever for the safety of the passengers and crew on the vessel.

### **Terms and conditions of appointment**

Salaries and absence from normal duties for staff of Antarctica New Zealand or DOC would normally be covered by those organisations or by other arrangement.

Tour operators would normally provide for:

- the full cost of board and lodging and any appropriate allowances for national representatives while they are on board tour vessels;
- reimbursement of the full costs of any airfares, accommodation, meals and incidental expenses incurred in getting national representatives to and from the point of embarkation and disembarkation for the tour vessel to their place of work or residence; and
- use of radiotelephone, fax, email, INMARSAT or telex services required by the representative in carrying out their duties.

### **Briefing, Training and Resources**

MFAT, Antarctica New Zealand, DOC and/or other departments and agencies brief National Representatives on their roles and responsibilities. Relevant documentation might also include:

- official permits/approval issued for the tour and any advance notification documents and approved environmental impact assessments;
- relevant legislation, policies and management plans, including in particular a copy of the Protocol on Environmental Protection, Antarctica (Environmental Protection) Act and this procedural document.
- tourist guidelines, handbooks and codes of conduct including the Antarctic Treaty tourism guidelines;
- names and contacts (phone and/or radio call sign) for Scott Base and key government agencies; and
- maps and providing relevant information packages from Antarctica New Zealand, DoC and the Antarctic Heritage Trust (AHT).
- radio units, marine channels and other working frequencies, enabling communication with stations, ships and yachts, tour operators and guides.

### **Reporting**

National Representatives are required to submit to the Minister of Foreign Affairs and Trade a report on the expedition and general compliance with the Antarctica (Environmental Protection) Act and management plans.



## Appendix 7 Post-activity report forms

1. [ATS Post –Visit Report Form](https://documents.ats.aq/recatt/att710_e.xlsx) [xls 199 KB]  
([https://documents.ats.aq/recatt/att710\\_e.xlsx](https://documents.ats.aq/recatt/att710_e.xlsx))
2. **Environmental Impact Assessment (EIA) Final Report**  
This will be discussed with you and based upon your approved EIA.

## Appendix 8 EIA Resources

### MFAT

New Zealand Procedures for Non-Governmental Activities to Antarctica [This document]  
([www.mfat.govt.nz/assets/Environment/Antarctica-and-the-Southern-Ocean/New-Zealand-Procedures-for-Non-Gov-Activities-to-Antarctica](http://www.mfat.govt.nz/assets/Environment/Antarctica-and-the-Southern-Ocean/New-Zealand-Procedures-for-Non-Gov-Activities-to-Antarctica))

New Zealand Advanced Notification Form  
([www.mfat.govt.nz/assets/Environment/Antarctica-and-the-Southern-Ocean/New-Zealand-Advanced-Notification-Non-Gov-Activities-Form](http://www.mfat.govt.nz/assets/Environment/Antarctica-and-the-Southern-Ocean/New-Zealand-Advanced-Notification-Non-Gov-Activities-Form))

Travelling to Antarctica | New Zealand Ministry of Foreign Affairs and Trade (mfat.govt.nz)  
([www.mfat.govt.nz/ru/environment/antarctica-and-the-southern-ocean/travelling-to-antarctica/](http://www.mfat.govt.nz/ru/environment/antarctica-and-the-southern-ocean/travelling-to-antarctica/))

### External links

**Antarctic Treaty** ([https://www.ats.aq/index\\_e.html](https://www.ats.aq/index_e.html)) (external link)

- Antarctic Treaty Guidance for Visitors to the Antarctic (external link)  
([https://documents.ats.aq/recatt/Att245\\_e.pdf](https://documents.ats.aq/recatt/Att245_e.pdf))
- Antarctic Treaty General Guidelines for Visitors to the Antarctic (external link)  
([https://documents.ats.aq/recatt/Att483\\_e.pdf](https://documents.ats.aq/recatt/Att483_e.pdf))
- Antarctic Treaty Guidelines on Contingency planning, insurance and other matters for tourist and other non-governmental activities in the antarctic treaty area (external link)  
([https://documents.ats.aq/recatt/Att225\\_e.pdf](https://documents.ats.aq/recatt/Att225_e.pdf))
- Antarctic Treaty Yachting guidelines for Antarctic cruises (external link)  
([https://documents.ats.aq/atcm35/ww/atcm35\\_ww017\\_e.pdf](https://documents.ats.aq/atcm35/ww/atcm35_ww017_e.pdf))
- Antarctic Treaty Guidelines for preparing an EIA (ATS) (Revised Guidelines for Environmental Impact Assessment in Antarctica 2016 (external link)  
([https://documents.ats.aq/recatt/att605\\_e.pdf](https://documents.ats.aq/recatt/att605_e.pdf))
- Antarctic Treaty Area Protection (ASPA) and Management (ASMA) / Monuments | (external link)  
(<https://ats.aq/e/protected.html>)
- Antarctic Treaty Non-native Species Manual (external link)  
([https://documents.ats.aq/recatt/att608\\_e.pdf](https://documents.ats.aq/recatt/att608_e.pdf))
- Environmental Guidelines for Operation of Remotely Piloted Aircraft Systems (RPAS) in Antarctica (external link)  
([https://documents.ats.aq/recatt/Att645\\_e.pdf](https://documents.ats.aq/recatt/Att645_e.pdf))
- Post –Visit Report Form [xls 199 KB] (external link)  
([https://documents.ats.aq/recatt/att710\\_e.xlsx](https://documents.ats.aq/recatt/att710_e.xlsx))
- Antarctic Protected Areas Database (APA) Database | Antarctic Treaty (ats.aq) (external link)

(<https://www.ats.aq/devph/en/apa-database>)

- [Manual of Tourism and Non-Gov Activities 2021](https://documents.ats.aq/atcm43/ww/atcm43_ww005_e.pdf) (external link)  
[https://documents.ats.aq/atcm43/ww/atcm43\\_ww005\\_e.pdf](https://documents.ats.aq/atcm43/ww/atcm43_ww005_e.pdf)

**IAATO (International Association of Antarctica Tour Operators)** (<https://iaato.org/>)

- [International Association of Antarctica Tour Operators \(IAATO\) Preparing For Your Expedition](https://iaato.org/visiting-antarctica/preparing-for-your-expedition/) (external link)  
(<https://iaato.org/visiting-antarctica/preparing-for-your-expedition/>)

**COMNAP -The Council of Managers of National Antarctic Programs** (<https://www.comnap.aq/>) (external link)

- [2019 COMNAP Remotely Piloted Aircraft Systems \(RPAS\) Handbook](https://www.comnap.aq/wp-content/uploads/2019/12/COMNAP-RPAS-Handbook-25-October-2019-PDF-Format.pdf) (external link)  
(<https://www.comnap.aq/wp-content/uploads/2019/12/COMNAP-RPAS-Handbook-25-October-2019-PDF-Format.pdf>)

**New Zealand Legislation** (<https://legislation.govt.nz/>) (external link)

- [Antarctica \(Environmental Protection\) Act 1994 No 119 \(as at 28 October 2021\)](https://legislation.govt.nz/act/public/1994/0119/latest/DLM342783.html#DLM343280), Public Act Contents – New Zealand Legislation (external link)  
(<https://legislation.govt.nz/act/public/1994/0119/latest/DLM342783.html#DLM343280>)

**Antarctica New Zealand** <https://www.antarcticanz.govt.nz/> (external link)

- [Scott Base facilities](https://www.antarcticanz.govt.nz/scott-base) (external site)  
(<https://www.antarcticanz.govt.nz/scott-base>)

**Other**

- [Human Activities - Antarctic Environments Portal](https://environments.aq/publication_tag/human-activities/)  
[https://environments.aq/publication\\_tag/human-activities/](https://environments.aq/publication_tag/human-activities/)

## Appendix 9 Relevant organisations

Antarctic Heritage Trust (AHT)  
<https://nzah.org>

The AHT, a private charitable trust which completes heritage conservation, with a major programme to conserve historic huts and artefacts in the Ross Sea region of Antarctica. The trust seeks donations from hut visitors and has briefing material including a code of conduct for visitors.

Antarctica New Zealand  
[www.antarcticanz.govt.nz](http://www.antarcticanz.govt.nz)

Antarctica New Zealand . is the agency responsible for operational management of New Zealand government supported activities in the Ross Sea region.. Supporting science and environmental protection.

Antarctic and Southern Ocean Coalition (ASOC)  
[www.asoc.org](http://www.asoc.org)

The Antarctic and Southern Ocean Coalition (ASOC) is comprised of 230 organisations in 49 countries and campaigns to protect the biological diversity and pristine wilderness of Antarctica, including its oceans and marine life.

Biosecurity New Zealand  
[www.biosecurity.govt.nz](http://www.biosecurity.govt.nz)

Biosecurity NZ administers the Biosecurity Act, requiring permits and standards for imports of plant and animal products, and works closely with the New Zealand Customs Service on border controls.

Committee for Environmental Protection (CEP)  
[www.cep.aq](http://www.cep.aq)

The CEP was established under the Protocol on Environmental Protection to the Antarctic Treaty, to provide guidance on the Protocol's implementation.

Council of Managers of Antarctic Programmes (COMNAP)  
[www.comnap.aq](http://www.comnap.aq)

An international association, COMNAP was formed in 1988, and brings together governmental National Antarctic Programs. The programs are the organizations that have the responsibility for delivering and supporting scientific research in the Antarctic Treaty Area on behalf of their respective governments and in the spirit of the Antarctic Treaty.

Department of Conservation (DOC)  
[www.doc.govt.nz](http://www.doc.govt.nz)

The Department of Conservation is the central government organisation established under the Conservation Act 1987 to conserve the natural and historic heritage of New Zealand (including New Zealand's sub-Antarctic islands).

<p>Fisheries New Zealand  <a href="http://www.mpi.govt.nz/fishing-aquaculture/">www.mpi.govt.nz/fishing-aquaculture/</a></p>	<p>Fisheries New Zealand, part of MPI, administers the Antarctic Marine Living Resources Act. Their focus is the sustainability of New Zealand's wild fish stocks, aquaculture, and the wider aquatic environment, now and for future generations.</p>
<p>International Association of Antarctica Tour Operators (IAATO)  <a href="http://www.iaato.org">www.iaato.org</a></p>	<p>IAATO is an industry member organisation founded in 1991 to advocate, promote and practice safe and environmentally responsible private-sector travel to the Antarctic. The organisation maintains the database of trip reports by tour operators.</p>
<p>Land Information New Zealand (LINZ)  <a href="http://www.linz.govt.nz">www.linz.govt.nz</a></p>	<p>LINZ are involved in the provision of topographic and hydrographic information in the Ross Dependency, including Ross Sea charts and Notices to Mariners (advice to mariners about matters that affect navigational safety).</p>
<p>Maritime New Zealand  <a href="http://www.maritimenz.govt.nz">www.maritimenz.govt.nz</a></p>	<p>Maritime NZ provides distress and safety radio services to the Antarctic seas between 160°E and 120°W (NAVAREA XIV) and, with LINZ, provides marine warnings for this area. MSA is responsible for search and rescue over part of the area under the International Convention for Safety of Life at Sea.</p>
<p>Ministry of Foreign Affairs and Trade (MFAT)  <a href="http://www.mfat.govt.nz">www.mfat.govt.nz</a></p>	<p>MFAT is responsible for the policy and legal aspects of New Zealand's activities in Antarctica. Within MFAT, the Antarctic Policy Unit coordinates New Zealand's Antarctic policy.</p>
<p>The Rescue Coordination Centre NZ  <a href="http://www.maritimenz.govt.nz/about/what-we-do/safety-and-response/RCCNZ/">www.maritimenz.govt.nz/about/what-we-do/safety-and-response/RCCNZ/</a></p>	<p>Coordinates New Zealand's response to search and rescue emergencies within New Zealand's search and rescue region. This includes the Southern Ocean and the Antarctic Continent between 163°E and 131°W. This incorporates the Ross Sea. The Centre is part of the Maritime Safety Authority.</p>