

LAWS OF DOMINICA

**TERRITORIAL SEA, CONTIGUOUS ZONE, EXCLUSIVE
ECONOMIC AND FISHERY ZONES ACT**

CHAPTER 1:11

**Act
26 of 1981**

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**Note
on
Subsidiary Legislation**

This Chapter contains no Subsidiary Legislation.

CHAPTER 1:11**TERRITORIAL SEA, CONTIGUOUS ZONE, EXCLUSIVE
ECONOMIC AND FISHERY ZONES ACT****ARRANGEMENT OF SECTIONS****SECTION**

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CHAPTER 1:11**TERRITORIAL SEA, CONTIGUOUS ZONE, EXCLUSIVE
ECONOMIC AND FISHERY ZONES ACT**

26 of 1981. **AN ACT to establish the limits of the territorial sea, the contiguous zone, the exclusive economic and fishery zones of the Commonwealth of Dominica.**

Commencement. [10th September 1981]

Short title. **1. This Act may be cited as the –
TERRITORIAL SEA, CONTIGUOUS ZONE, EXCLUSIVE
ECONOMIC AND FISHERY ZONES ACT.**

Interpretation. **2. In this Act –**

“baseline” means the line from which the breadth of the territorial sea is drawn as determined in accordance with the straight baseline system;

“contiguous zone” means that area of sea contiguous to the territorial sea over which Dominica may exercise sovereign rights necessary to prevent infringement of its customs, fiscal, immigration or sanitary regulations within its territory or territorial sea;

“exclusive economic zone” means an area beyond and adjacent to the territorial sea, over which Dominica may exercise sovereign rights and jurisdiction, subject to the provisions of international law;

“fishery zone” means the areas of superjacent waters which extend to a distance of two hundred nautical miles from the baseline from which the breadth of the territorial sea is drawn;

“innocent passage” means passage of a ship or aircraft which is not prejudicial to the peace, good order and security of Dominica;

“internal waters” means the areas of waters lying on the landward side of the baseline;

“passage” means navigation through the territorial sea and the airspace thereof for purposes provided in international law;

“territorial sea” means that area of sea over which Dominica exercises sovereignty.

3. The territorial sea of Dominica comprises those areas of sea having as their inner limits, the baseline defined and as their outer limits, a line measured seaward from the baseline, every point of which line extends to a distance of twelve nautical miles from the nearest point of the baseline.

Establishment of the territorial sea.

4. The contiguous zone of Dominica comprises that area of sea which is contiguous to its territorial sea and shall extend twenty-four nautical miles from the baseline from which the breadth of the territorial sea is measured.

Establishment of the contiguous zone.

5. The exclusive economic zone of Dominica comprises those areas of the sea, sea-bed and sub-soil that are beyond and adjacent to the territorial sea of Dominica, having as their outer limits a line measured seaward from the aforesaid baseline, every point of which line is distant two hundred nautical miles from the nearest point of the aforesaid baseline.

Establishment of exclusive economic zone.

6. The fishery zone of Dominica comprises that area of sea that is beyond and adjacent to the territorial sea of Dominica and having as its seaward boundary a line so drawn that each point upon it is distant two hundred nautical miles from the nearest point of the baseline from which the breadth of the territorial sea is measured.

Establishment of fishery zone.

7. In the territorial sea and internal waters Dominica shall exercise sovereignty and such sovereignty shall extend to the sea-bed and sub-soil thereof and to the airspace over such sea.

Jurisdiction in territorial sea.

8. In the exclusive economic zone Dominica shall exercise –

Jurisdiction in exclusive economic zone.

- (a) sovereign rights for the purpose of exploration, exploitation, conservation and management of the natural resources, both living and non-living, of the sea-bed, subsoil and superjacent waters and other sovereign rights with regard to producing energy from tides, winds and currents therein;

- (i) the establishment and use of artificial islands, installations and structures;
 - (ii) marine scientific research; and
 - (iii) the protection and preservation of the marine environment;
- (c) other rights and duties provided for in international law.

Jurisdiction in fishery zone.

9. In the fishery zone Dominica shall exercise the sovereign right and exclusive authority to explore and exploit, conserve and manage the fishery resources of the superjacent waters, the seabed and subsoil therein, in accordance with international law.

Recognition of innocent passage.

10. (1) Dominica recognises the right of innocent passage of foreign ships and warships in the territorial sea and the overflight of aircraft in the airspace thereof subject to the principles and provisions of international law.

Acknowledgement of international activities in the exclusive economic zone.

(2) Dominica shall recognise the freedoms of navigation and overflight of aircraft and of the laying of submarine cables and pipelines and other related activities in the exclusive economic zone in accordance with the principles and provisions of international law.

Intention to negotiate maritime boundaries.

11. Where the boundary lines of the territorial sea and of the exclusive economic zone of Dominica poses of delimitations with the territories and States adjacent or opposite, the Government of Dominica shall be ready, able and willing, at appropriate times, to enter into negotiations on equitable principles with the States concerned with a view to reaching amicable agreements.

Future legislation.

12. The Government of Dominica will pass further legislation in respect of the foregoing provisions and matters related thereto from time to time as it thinks expedient.