



REPUBLIC OF KIRIBATI

ENVIRONMENT ACT 1999  
(No 9 of 1999)

**SOUTHERN LINE ISLANDS MARINE  
PROTECTED AREA REGULATIONS 2020**

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July 2020

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**SOUTHERN LINE ISLANDS MARINE PROTECTED AREA REGULATIONS 2020**

In exercise of the powers conferred by section 43(1) and 86(1) of the *Environment Act 1999 (as amended)*, and acting in accordance with the advice of the Cabinet, I hereby make the following Regulations:

**1. Short title**

These regulations may be cited as the *Southern Line Islands Marine Protected Area Regulations 2020*.

**2. Objectives**

The objectives of these Regulations are:-

- (1) To prescribe a protected area for the conservation and protection of the terrestrial and marine resources of the Southern Line Islands, subject to such conditions as are included herein.
- (2) To prescribe particular licenses and permits for regulating certain activities in the Southern Line Islands Protected Area and to establish a schedule of penalties for all activities affecting the Southern Line Islands Protected Area.
- (3) To implement the Cabinet decision of 28 December 2018, approving, inter alia, the establishment of the Southern Line Islands Protected Area comprising of the terrestrial areas of the Southern Line Islands namely Flint, Volstok, Starbuck, Malden and, Millenium, and marine zone up to 12 nautical miles as a no-take Marine Protected Area.

**3. Commencement**

These Regulations shall come into force on the date of its publication.

**4. Definitions**

In these Regulations:-

“Act” means the *Environment Act 1999* and subsequent amendments;

“IUCN” means the International Union for the Conservation of Nature;

“management plan” means a set of principles, practices and procedures applicable to the terrestrial and marine resources of the Southern Line Islands, duly established pursuant to the terms of sections 45 and 47 of the Act;

“management committee” means the committee duly established by the Minister pursuant to the terms of section 46 of the Act;

“Minister” means the Minister for the time being responsible for the environment;

“Ministry” means the Ministry for the time being responsible for the environment;

“PIPA” means the Phoenix Islands Protected Area;

“protected area” within the context of the SLIMPA means a large, zoned, multi-use land and marine area managed for conservation and sustainable use under IUCN Category Ib – Wilderness Area;

“public authority” has the same meaning as in the Act; and

“SLIMPA” means the Southern Line Islands Marine Protected Area.

## **5. Protected area prescription and World Heritage nomination**

(1) The Minister hereby prescribes the following area as an area protected for conservation and sustainable use purposes pursuant to section 43 of the Act:-

Flint Island  
Volstok Island  
Starbuck Island  
Malden Island; and  
Millenium (otherwise known as Caroline) Island

the lagoons and internal waters (if any) of each island and out to 12 nautical miles bounded by straight lines connecting the points in the order specified in SCHEDULE 1.

(2) This protected area shall be known as the Southern Line Islands Marine Protected Area.

(3) This protected area shall also be nominated to the World Heritage Committee established under the World Heritage Convention, for the inclusion on the World Heritage list.

(4) The Southern Line Islands Protected Area shall be recognized and managed as a Category Ib Wilderness Area according to the definitions, objectives for management, and guidance provided by the IUCN’s 1994 *Guidelines for Protected Area Management Categories*. The relevant extract of the *Guidelines* is attached as Appendix 1.

## **6. SLIMPA Management Committee and Management Plan**

(1) The Minister shall establish a SLIMPA Management Committee, which shall be chaired by the Secretary of the Ministry, and shall comprise representatives of:-  
(a) the Principal Environment Officer;

- (b) the Environment and Conservation Division of the Ministry;
  - (c) the PIPA Implementation Office of the Ministry;
  - (d) the Ministries for the time being responsible for:-
    - (i) fisheries;
    - (ii) the Line islands;
    - (iii) finance;
    - (iv) tourism;
    - (v) foreign affairs; and
    - (vi) commerce;
  - (e) the Office of the Attorney General; and
  - (f) the Kiribati Police Service.
- (2) The SLIMPA Management Committee shall:-
- (a) prepare a draft management plan and sustainable financing mechanisms for the SLIMPA;
  - (b) resolve inter-agency differences and make recommendations to the Minister relating to actions associated with the management of the SLIMPA;
  - (c) provide such advice as the Minister may seek related to activities in the SLIMPA, including proposed development activities; and
  - (d) monitor the management of SLIMPA and make such reports as the Minister might require compliance with the terms of the Act, these regulations, the SLIMPA management plan, and any other international treaty agreements or third party contractual agreements entered into for the purposes of sustaining the conservation and sustainable use of the SLIMPA.
- (3) Within 12 months of the entry into force of these Regulations, the SLIMPA Management Committee shall develop and the Minister, acting in accordance with the advice of the Cabinet, shall adopt a SLIMPA management plan that is consistent with the Act, these Regulations, and any international treaty agreements or third party contractual agreements entered into for the purposes of sustaining the conservation and sustainable use of the SLIMPA.
- (4) The SLIMPA management plan shall identify such management zones and associated allowable activities as are appropriate for implementing the purposes of this regulation and the Act.
- (5) Except as provided in Regulation 11 below, pending adoption of the management plan, no activity that takes place in or affects the SLIMPA or places at risk the ecological integrity of the SLIMPA shall be licensed, approved or undertaken by any public authority without the express written authorization of the Minister.
- (6) As part of the management plan, and subject to available funding, the Minister shall develop and implement a monitoring program designed to ensure that the objectives of the Act, these Regulations, and the SLIMPA management plan are being accomplished.

#### **7. Marine conservation, management and development**

In addition to such other requirements as may be established by these regulations or the management plan, all provisions of Parts III, IV, V, VI and VII of the Act shall fully apply within the SLIMPA at all times.

## **8. SLIMPA Management Plan**

- (1) The objectives of the SLIMPA are specified in a management plan developed by the SLIMPA Management Committee and the Principal Environment Officer, in accordance with the provisions of Part V of the Act.
- (2) In addition to the management principles set out in section 45(1) of the Act, the SLIMPA management plan shall ensure that all activities that take place in the SLIMPA are designed for the benefit of present and future generations. To that end, the SLIMPA management plan shall implement such necessary measures as are necessary for the following objectives:-
  - (a) to conserve and manage substantial examples of marine and terrestrial systems to ensure their long-term viability and to maintain genetic diversity;
  - (b) to conserve depleted, threatened, rare or endangered species and populations and, in particular, to preserve habitats considered critical for the survival of such species;
  - (c) to conserve and manage areas of significance in the SLIMPA to the life cycles of economically important species such as tuna;
  - (d) to prevent human activities from detrimentally affecting the SLIMPA;
  - (e) to preserve, protect, and manage historical, cultural and archeological sites and natural aesthetic values;
  - (f) to facilitate the interpretation of marine and terrestrial systems for the purposes of conservation, education and tourism;
  - (g) to accommodate within the appropriate management regimes a broad spectrum of multi-use human activities compatible with the primary goal of marine and terrestrial conservation and sustainable use, including appropriate fishing, ecologically-sound tourism, and sustainable economic development;
  - (h) to provide for research and training and for monitoring the environmental effects of human activities, including the direct and indirect effects of the development activities; and
  - (i) to ensure consistency between all activities taking place in the SLIMPA and any third-party conservation contracts into which the Minister may choose to enter with the advice and approval of the Cabinet for the conservation and long-term sustainable use of the SLIMPA.

## **9. Conservation and management measures**

- (1) All persons and corporations engaged in conduct in the SLIMPA must comply with all conservation and management measures as specified in the Act, these Regulations and the SLIMPA management plan.
- (2) All public authorities are obliged to conduct all activities within the SLIMPA, or that are likely to have effects on the SLIMPA, consistently with the Act, these Regulations and the SLIMPA management plan.
- (3) The SLIMPA management plan shall be consistent with any international obligations or agreements relating to the environment entered into by Kiribati.
- (4) Additional conservation and management measures may be specified by the Minister or in the SLIMPA management plan as required.

**10. SLIMPA permit, license and penalty provisions**

- (1) With respect to any activity having an effect or the potential for an effect on the SLIMPA, all licenses, permits, or other approvals issued by the Minister, as well as any other license, permit, or approval issued by any other public authority, shall be consistent with the provisions of the SLIMPA management plan, these Regulations and the Act.
- (2) In addition to any other license, permit or approval required by the Act, and subject to further specification in the SLIMPA management plan, the following permit and license requirements shall be in force in the SLIMPA and implemented as part of the management activities in the SLIMPA:-
  - (a) scientific, cultural, or educational studies – special permission is required from the Principal Environment Officer for conducting any scientific or educational study within the SLIMPA;
  - (b) collection of specimens – special permission is required from the Principal Environment Officer for the collection of any scientific specimens or samples from the SLIMPA;
  - (c) special permits – any special permission must be obtained from the Principal Environment Officer prior to the start of any activity. Special conditions may be attached to the permit including reporting requirements. The Principal Environment Officer shall promptly notify the SLIMPA management committee of all special permit in force for the SLIMPA;
  - (d) the SLIMPA management plan shall further specify permits, the conditions of permits and the process for obtaining permits for visitors to the SLIMPA for purposes of diving, visiting the atolls in the SLIMPA, and recreational fishing; and
  - (e) the SLIMPA management plan shall further specifies schedules for any processing or use fees associated with SLIMPA permits and licenses.
- (3) In addition to the offences set out in Part III of the Act, the SLIMPA management plan shall establish such additional offences punishable by fines not to exceed \$100,000 or terms of imprisonment not to exceed five years, or both that are considered necessary to enforce the practices and procedures established in the SLIMPA management plan. Any violation of those practices or procedures shall constitute a violation of these regulations and the Act.
- (4) The Principal Environment Officer shall have primary responsibility and authority to commence civil, criminal, injunctive, or other action against any person or corporation reasonably believed to be in violation of the Act, these regulations, or the SLIMPA management plan.
- (5) The Principal Environment Officer shall have primary responsibility and authority to amend, suspend, revoke or withhold any license or other authorization issued to a person or corporation reasonably believed to be in violation of the terms of their license or authorization, the terms of the SLIMPA management plan, these regulations or the Act.



### **11. Savings and transitional**

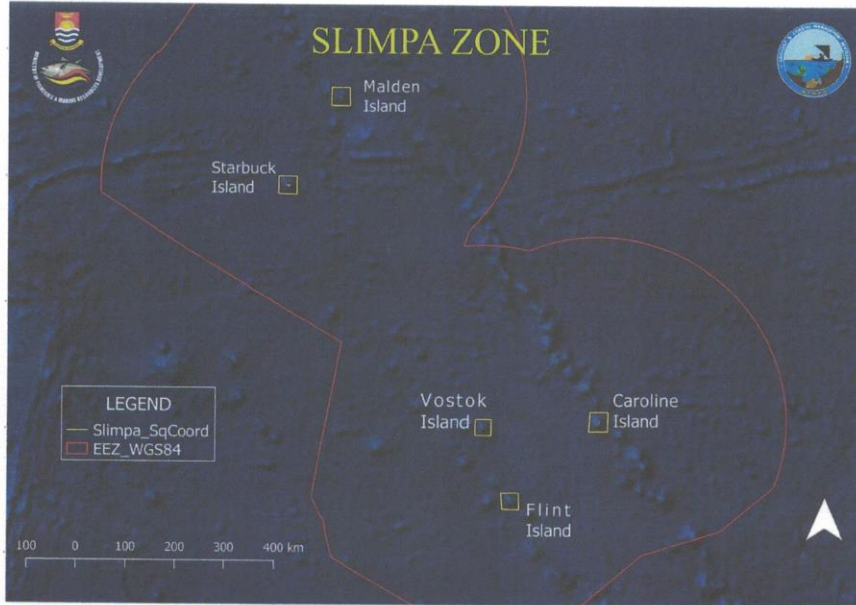
Any existing licenses, authorization and agreements granting approval for any undertakings or activities within SLIMPA shall remain valid and such undertakings or activities carried out pursuant to those licenses, authorization and agreements shall continue subject to the SLIMPA requirements, until and unless otherwise decided by the Cabinet.

### **12. Miscellaneous**

- (1) The Minister, in consultation with the SLIMPA management committee and the Principal Environment Officer, shall issue a report on the state of SLIMPA every four years. The report shall include the following environmental and management indicators:-
  - (a) bird population trends;
  - (b) bird nesting pairs population trends;
  - (c) live coral cover trends;
  - (d) selected reef fish population trends;
  - (e) reef shark population trends;
  - (f) turtle population trends;
  - (g) pelagic conditions within the SLIMPA, including fisheries landings trends;
  - (h) annual visitor number trends; and
  - (i) such other matters as the SLIMPA management committee deems appropriate to report.
- (2) The Minister may require, by written notice, a licensee or permit holder, public authority, or other person to present information relevant to the report. Such person or entity shall comply with a request of the Minister within one month of receiving it.

**SCHEDULE 1**

**SLIMPA Map, Boundaries and Coordinates**



ID	xcoord	ycoord	Longitude	Latitude
CAR00	150.3704608	9.777740063	150°22'13.658728692"W	9°46'39.864226785276"S
CAR001	150.0477454	9.776793684	150°2'51.8833599864"W	9°46'36.457260894588"S
CAR002	150.0553164	10.12979321	150°3'19.1390871132"W	10°7'47.25553809756"S
CAR003	-150.396013	10.13168596	150°23'45.6468077364"W	10°7'54.06946987872"S
CAR004	150.3704608	9.777740063	150°22'13.658728692"W	9°46'39.864226785276"S
VOST00	152.4524955	-9.91212594	152°27'8.9836880652"W	9°54'43.653383254008"S
VOST01	152.1685816	9.914018699	152°10'6.8939208768"W	9°54'50.46731503524"S
VOST02	152.1714208	10.21212821	152°10'17.1148185516"W	10°12'43.6615705818"S
VOST03	-152.456281	10.21023546	152°27'22.6115516268"W	10°12'36.84763880064"S
VOST04	152.4524955	-9.91212594	152°27'8.9836880652"W	9°54'43.653383254008"S
FLIN00	151.9859304	11.28153695	151°59'9.3495039864"W	11°16'53.53302698832"S
FLIN01	151.6745716	11.27585868	151°40'28.4577259728"W	11°16'33.09123164448"S
FLIN02	-151.663215	11.59100302	151°39'47.5741352844"W	11°35'27.61087322256"S
FLIN03	151.9670028	11.58153923	151°58'1.2101861748"W	11°34'53.5412143164"S
FLIN04	151.9859304	11.28153695	151°59'9.3495039864"W	11°16'53.53302698832"S
MALD00	155.0933672	3.842048378	155°5'36.1220058564"W	3°50'31.374160785312"S
MALD01	154.7526706	3.840155619	154°45'9.6142852296"W	3°50'24.560229004044"S
MALD02	154.7479387	4.170442035	154°44'52.5794557776"W	4°10'13.59132483216"S
MALD03	155.1018846	4.168549276	155°6'6.78469887"W	4°10'6.777393050928"S
MALD04	155.0933672	3.842048378	155°5'36.1220058564"W	3°50'31.374160785312"S
STAR00	156.0529959	-5.46982097	156°3'10.7854189488"W	5°28'11.355492660276"S
STAR01	-155.718924	5.475499247	155°43'8.1264595584"W	5°28'31.797288004044"S
STAR02	155.7198704	5.807678421	155°43'11.5334254488"W	5°48'27.642315613392"S
STAR03	-156.060567	5.796321868	156°3'38.041146072"W	5°47'46.758724925892"S
STAR04	156.0529959	-5.46982097	156°3'10.7854189488"W	5°28'11.355492660276"S

Dated this <sup>30<sup>th</sup></sup>.....day of July 2020.

  
**RUATEKI TEKAIARA**  
Minister for Environment, Lands  
and Agricultural Development

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**DR NAOMI BIRIBO**  
Secretary to the Cabinet