
SOLOMON ISLANDS

[CAP. 95]

THE DELIMITATION OF MARINE WATERS (MARINE SCIENTIFIC RESEARCH) REGULATIONS

LN 97/199

(Section 11)

[5th August 1994]

Citation

1. These Regulations may be cited as the Delimitation of Marine Waters (Marine Scientific Research) Regulations.

Interpretation

2. In these Regulations, unless the context otherwise requires-

"Solomon Islands waters" includes the territorial waters, the exclusive economic zone and the continental shelf as defined under the Act.

Application

3.-(1) Subject to the provisions of paragraphs (2) and (3), these Regulations shall apply to all forms of marine scientific research conducted in Solomon Islands waters.

(2) These Regulations shall not apply in respect of research carried on by a state or international organisation pursuant to any agreement to which Solomon Islands is a party.

(3) Any research conducted pursuant to the provisions of these Regulations shall be conducted-

(a) exclusively for peaceful purposes;

(b) having regard to the rights of other legitimate users of the sea;
and

(c) with appropriate scientific skill and methods as may be required or prescribed under international law.

Application for consent

4.-(1) No person shall carry out any research without the written consent of the Minister.

(2) Any person wishing to carry out any research under these Regulations shall make application to the Minister in Form 1 set out in the Schedule.

(3) Every application made under this regulation shall be made at least six (6) months prior to the intended date of research.

(4) Prior to granting his consent, in Form 2 set out in the Schedule, the Minister must be satisfied that the applicant has complied with the requirements of these Regulations and has paid the appropriate administrative fee. The Minister shall have the power to impose any terms and conditions as he thinks fit.

Validity of consent

5. Any consent granted under regulation 4 shall be valid for such period as may be specified therein and is non-transferable.

Condition that apply to international organisation, etc.

6. Where consent is requested on behalf of an international organisation or state, the applicant shall, in addition to such conditions as may be prescribed by the Minister, be required to-

(a) at the request of Solomon Islands Government, where ever practicable, permit Solomon Islands participation in such research project especially on board research installations (without payment of any remuneration to Solomon Islands participants by the applicant) and with no obligation on the part of the Solomon Islands Government to contribute towards the project;

(b) provide the Minister with periodical reports as may be required;

(c) undertake to provide access to Ministry officials, to all data and samples derived from the research and to furnish the Ministry with data which may be copied and samples which may be divided without detriment to their scientific value;

(d) at the request of the Ministry, provide with assessments of such data, samples and research or provide assistance in their assessment or interpretation;

(e) inform the Ministry of any change in any research programme being conducted; and

(f) unless, otherwise agreed on completion of the research project remove the scientific research installation or equipment.

Suspension or cessation of research

7. The Minister where he is satisfied that research activities are not being conducted in accordance with these Regulations may suspend or revoke his consent granted under regulation 4 in respect of the project.

Lighting and other safety standards

8. A person who has obtained the consent of the Minister for the conduct of research shall-

- (a) ensure that no installation or equipment is constructed or maintained in such a manner as to obstruct, internal or external navigation;
- (b) maintain proper lights so as to be visible from any waters within the area;
- (c) not exhibit any light which by reason of its glare is liable to endanger aircraft taking off or landing in Solomon Islands or which is liable to be mistaken for an aeronautical light;
- (d) ensure that all equipment -and machinery bear identification marks of the state of registry or the international organisation to which such equipment or machinery belongs;
- (e) display warning signals in compliance with international aviation and maritime requirements; and
- (f) comply with all other relevant laws of Solomon Islands.

Compliance with other laws

9. The provisions of these Regulations shall be read and construed as supplementary to and not in derogation of the provisions of other laws of Solomon Islands.

FIRST SCHEDULE

Form 1

APPLICATION FOR A CONSENT TO CONDUCT MARINE SCIENTIFIC RESEARCH

(Reg. 4 (2))

Date:.....

1. GENERAL INFORMATION

1.1 Cruise name and/or
number.....

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.....

1.2 Sponsoring
institution:.....

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Date:

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.....

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.....

Name:.....
.....

Address:.....
.....

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.....

Name of
Director:.....
.....

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.....

1.3 Scientist in charge of the
research:.....
.....

.....
.....

Name:.....
.....

Address:.....
.....

Tel:

Telex:

Fax:

1.4 Scientist(s) from (Solomon Islands) involved in planning of the
project:

.....
.....

Name(s):
.....

Address:
.....

1.5 Submitting Officer:

.....

Name and Address:

.....

Country:

.....

Tel:

.....

Telex:

.....

Fax:

.....

2. DESCRIPTION OF PROJECT

2.1 Nature and objectives of the research:

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2.2 Relevant previous or future cruise:

2.3 Previous published research data relating to the project:

3. METHODS AND MEANS TO BE USED

3.1 Particulars of vessel:

Name:

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Nationality:

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Owner:

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Operator:

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Overall length:

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Maximum draught:

.....

Net tonnage:

.....

Gross tonnage:

.....

Propulsion:

.....

Cruising speed:

.....

Maximum speed:

.....

Call sign:

.....

Method and capability of communication (including telex, frequencies):

.....

Name of Master:

.....

Number of crew:

.....

Number of scientist on board:

.....

3.2 Aircraft or other craft to be used in the research:

.....

3.3 Particulars of methods and scientific instruments:

.....

Type and Samples and Data	Methods to be used	Instruments to be used

3.4 Indicate whether harmful substances will be used:

.....

3.5 Indicate whether drilling will be carried out:

.....

3.6 Indicate whether explosives will be used:

.....

4. INSTALLATIONS AND EQUIPMENT

Details of installations and equipment (dates of laying, servicing, recovery, exact location and depth):

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.....

5. GEOGRAPHICAL AREAS

5.1 Indicate geographical area in which the research is to be conducted (with reference to latitude and longitude):

.....

5.2 Attach chart(s) at an appropriate scale showing the geographical areas of the intended work and, as far as practicable, the positions of intended stations, the tracks of survey lines. and the locations of installations and equipment.

6.1 Expected dates of entry into and final departure from the research area of the research vessel:

.....
.....

6.2 Indicate if multiple entry is expected:

.....

7. PORT CALLS

7.1 Dates and names of intended ports of call in Solomon Islands:

7.2 Any special logistical requirements at ports of calls:

7.3 Name/Address/Telephone of shipping agent (if available):

8. PARTICIPATION

8.1 Extent to which Solomon Islands will be able to participate or be represented in the research:

8.2 Proposed dates and ports for embarkation/disembarkation:

.....

9. ACCESS TO DATA, SAMPLES AND RESEARCH RESULTS

9.1 Expected dates of submission to Solomon Islands of preliminary reports which should include the expected dates of submission of the final results:

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.....

9.2 Proposed means for access by Solomon Islands to data and samples:

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.....

9.3 Proposed means to provide Solomon Islands with assessment of data, samples and research results or provide assistance in their assessment or interpretation:

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.....

9.4 Proposed means of making research results internationally available:

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SECOND SCHEDULE

Form 2

SOLOMON ISLANDS

**CONSENT TO CONDUCT MARINE SCIENTIFIC RESEARCH IN
AREAS
UNDER NATIONAL JURISDICTION OF SOLOMON ISLANDS**

(Reg. 4(4))

Delimitation of Marine Waters Act and Marine (Scientific Research) Regulations

Cruise name and number

.....
.....

1. Consent is hereby granted for the marine scientific research to be conducted by:

.....

(name and address of institution)

with the research vessel

.....

during period of

..... in the
(area(s) under national jurisdiction)

2. The research shall be conducted in accordance with the information on which
supplementary information submitted by:

..... on
.....
..... with supplementary information submitted on
.....

3. Any proposed changes in the research programme shall be notified as soon as
possible to:

Permanent Secretary
Ministry of Foreign Affairs
PO Box G10
HONIARA
Solomon Islands
Tel: (677) 21250
Fax: (677) 20351

4. This document shall be kept on board the vessel.

Date:.....

Place:.....

.....
Minister of Foreign Affairs