

# Regulation relating to amendments to Regulation no. 731 of 27 June 2002 relating to camping activities in Svalbard

**Authority:** Laid down by the Governor of Svalbard under section 76 of Act no. 79 on the Protection of the Environment on Svalbard (The Svalbard Environmental Protection Act).

The following amendments are made to

## I

Regulation no. 731 of 27 June 2002 relating to camping activities in Svalbard:

### Section 2

The new second paragraph shall read as follows:

The regulations apply to any person involved in planning or carrying out camping activities in the areas stated in the first paragraph. In the case of camping activities organised under the auspices of *tourist activities, field activities and research and education activities*, the organiser is responsible for ensuring compliance with the provisions of the regulations herein.

The current third paragraph is repealed.

### Section 2a

The new section 2a shall read as follows:

#### *Section 2a. (definitions)*

*For the purpose of these regulations, the following definitions apply*

- a) camping activities: the use of tents or other temporary facilities for accommodation, meals, communication, shelter or the like.*
- b) tourist activities: any natural or legal person who, for a fee, organises access and passage, activities or accommodation with associated services or transport of persons on land or sea within Svalbard or where their stay on Svalbard is otherwise arranged for tourist purposes. Remuneration also includes payment that is made to cover actual expenses without calculating a profit*
- c) field activities: any natural or legal person who, for a fee, organises traffic, activities or accommodation with associated services or transport of persons on land or sea within Svalbard, without this being defined as tourist purposes according to letter a). Remuneration also includes payment that is made to cover actual expenses without calculating a profit*
- d) research and education activities: activities outside areas with an approved land-use plan operated by research and/or educational institutions and institutes, such as schools, colleges and universities;*

The new heading for Chapter II shall read as follows:

## **Chapter II. Permission**

### Section 3

The new section 3 shall read as follows:

#### **Section 3. (Permit requirement)**

*Camping activities for the purposes of tourism, field activities and under the auspices of research and education require permission from the Governor of Svalbard.*

*Camping activities outside the activities as stated in the first paragraph at the same place for one week or more require permission from the Governor of Svalbard.*

*However, permission is not necessary for areas that are specifically allocated for camping activities according to the land-use plan.*

#### Section 4

The new section 4 shall read as follows:

##### **Section 4. (Applications for permission)**

*Applications for permission for camping activities shall contain the information necessary to assess whether a permit should be granted and on what conditions. The application shall as a minimum explain:*

- a) which site is planned to be used*
- b) the date and duration of the stay*
- c) the number of people staying at the camp*
- d) the type of accommodation that will be provided and its siting in relation to topographical features, and*
- e) an account of plans for safety measures in respect of polar bears, food storage, waste management and sanitation.*

*The Governor of Svalbard may request more information.*

*The application shall be submitted to the Governor of Svalbard no later than four weeks before the camping activities are planned to start.*

#### Section 5

The new section 5 shall read as follows:

##### **Section 5. (Permits)**

*When the Governor of Svalbard decides whether a permit shall be granted and stipulates the conditions, emphasis shall be placed on whether the camping activities can:*

- a) entail a risk of damage, wear and tear or other disturbances to protected elements of the cultural heritage, fauna, flora or the natural environment in general*
- b) represent a safety risk in relation to polar bears*
- c) be in conflict with the objective of preserving the distinctive wilderness of Svalbard*
- d) entail damage or nuisance for other lawful activities*
- e) be in conflict with the objective of maintaining opportunities for the public to experience wilderness.*

*The Governor of Svalbard may alter the conditions in the permit, set new conditions and if necessary, withdraw the permit for planned and already commenced camping activities if there is reason to fear such danger as stated in the first paragraph.*

#### Section 11

The first and fourth paragraphs are repealed. The current second paragraph will become the new first paragraph and the current third paragraph will become the new second paragraph. The new third paragraph shall read as follows:

*Camping activities that require an application pursuant to section 3, first paragraph, shall be protected by a vigilant and organised polar bear watch when there are people in the camp.*

#### Section 12

The new section 12 shall read as follows:

##### **Section 12. (Penal measures)**

*Violations of provisions and decisions made in or pursuant to these regulations are punishable according to the provisions of section 99 of the Svalbard Environmental Protection Act.*

The amendments will come into force on 1 January 2023.