

Regulation relating to amendments to Regulation no. 1046 of 9 September 2005 on the conservation of Indre Wijdefjorden National Park in Svalbard, Regulation no. 1189 of 26 September 2003 on the conservation of Sassen-Bünsow Land National Park in Svalbard, Regulation no. 1187 of 26 September 2003 on the conservation of Nordre Isfjorden National Park, Regulation no. of 18 June 2021 on Van Mijenfjorden National Park in Svalbard, Regulation no. 1188 of 26 September 2003 on the conservation of Ossian Sars Nature Reserve, Regulation no. 903 of 16 August 2002 on the conservation of Bjørnøya Nature Reserve in Svalbard, Regulation no. 1185 of 26 September 2003 on conservation of Hopen Nature Reserve in Svalbard, Regulation no. 1190 of 26 September 2003 on the conservation of Festningen Geotope Protected Area in Svalbard and Regulation no. 1029 of 3 June 1983 on the conservation of Moffen Nature Reserve in Svalbard.

Authority: Laid down by Royal Decree xx pursuant to sections 12, 16 and 17 of the Svalbard Environmental Protection Act. Presented by the Ministry of Climate and Environment.

The following amendments are made to

I

The following amendments are made to Regulation no. 1046 of 9 September 2005 on conservation of Indre Wijdefjorden National Park in Svalbard:

Section 4

Section 4.1, the new second paragraph shall read as follows:

Any person who travels or stays in the protected area shall prevent new permanent wear and tear to the terrain and cultural remains. Paths shall be used where such exist. Stones, stakes and other objects used at the site shall be cleared away and returned to where they were found. A sufficient distance shall be kept from;

- wildlife to avoid unnecessary disturbances*
- protected cultural remains that are not in use, so that these are not exposed to trampling or other activity that poses a risk of damage.*

Section 4.1, the new third paragraph shall read as follow:

4.1 The use of bicycles is only permitted on frozen and snow-covered ground.

Section 4.2 shall read as follows:

4.2 Landing in connection with tourist activities is prohibited.

Section 4.6 shall read as follows:

4.6 Ships that call at the national park cannot have more than 200 passengers on board.

The current section 4.6 will now become section 4.7.

The new section 6 shall read as follows:

6. It is prohibited to use unmanned vessels (drones) and other remotely operated or autonomous unmanned devices in the air, on the ground, on and under water.

Section 5

The last indent in section 5 shall read as follows:

- the use of unmanned vessels (drones) and devices as stated in section 4, item 6 for the same purposes as stated in the indent above and for use in the administrative authority's tasks.*

Section 6

The new last indent in section 6, first paragraph shall read as follows:

- the use of unmanned vessels (drones) and devices as stated in section 4 item 6 for purposes other than recreational and hobby purposes.*

II

The following amendments are made to Regulation no. 1189 of 26 September 2003 on the conservation of Sassen-Bünsow Land National Park in Svalbard:

Section 4

Section 4.1, the new second paragraph shall read as follows:

Any person who travels or stays in the protected area shall prevent new permanent wear and tear to the terrain and cultural remains. Paths shall be used where such exist. Stones, stakes and other objects used at the site shall be cleared away and returned to where they were found. A sufficient distance shall be kept from;

- the wildlife to avoid unnecessary disturbances and*
- protected cultural remains that are not in use, so that these are not exposed to trampling or other activity that poses a risk of damage.*

Section 4.2 shall read as follows:

4.2 The use of bicycles is *only permitted on frozen and snow-covered ground.*

Section 4.6 shall read as follows:

4.6 *Ships that call at the national park cannot have more than 200 passengers on board.*

The current section 4.6 will now become section 4.7.

The new section 6 shall read as follows:

6. *It is prohibited to use unmanned vessels (drones) and other remotely operated or autonomous unmanned devices in the air, on the ground, on and under water.*

Section 5

The last indent in section 5 shall read as follows:

- the use of unmanned vessels (drones) and devices as stated in section 4, item 6 for the same purposes as stated in the indent above and for use in the tasks of the administrative authority.*

Section 6

The new last indent in section 6, first paragraph shall read as follows:

- the use of unmanned vessels (drones) and devices as stated in section 4 item 6 for purposes other than recreational and hobby purposes.*

III

The following amendments are made to Regulation no. 1189 of 26 September 2003 on the conservation of Nordre Isfjorden National Park in Svalbard:

Section 4

Section 4.1, the new second paragraph shall read as follows:

Any person who travels or stays in the protected area shall prevent new permanent wear and tear to the terrain and cultural remains. Paths shall be used where such exist. Stones, stakes and other objects used at the site shall be cleared away and returned to where they were found. A sufficient distance shall be kept from;

- wildlife to avoid unnecessary disturbances*
- protected cultural remains that are not in use, so that these are not exposed to trampling or other activity that poses a risk of damage.*

Section 4.2 shall read as follows:

4.2 Use of bicycles is only permitted on frozen and snow-covered ground.

Section 4.6 shall read as follows:

4.6 Ships that call at the national park cannot have more than 200 passengers on board.

The current section 4.6 will now become section 4.7.

The new section 6 shall read as follows:

6. It is prohibited to use unmanned vessels (drones) and other remotely operated or autonomous unmanned devices in the air, on the ground, on and under water.

Section 5

The last indent in section 5 shall read as follows:

- the use of unmanned vessels (drones) and devices as stated in section 4, item 6 for the same purposes as stated in the indent above and for use in the tasks of the administrative authority.

Section 6

The new last indent in section 6, first paragraph shall read as follows:

- the use of unmanned vessels (drones) and devices as stated in section 4 item 6 for purposes other than recreational and hobby purposes.

IV

The following amendments are made to Regulation no. 1189 of 26 September 2003 on the conservation of Ossian Sars Nature Reserve:

Section 4

Section 4.1, the new second paragraph shall read as follows:

Any person who travels or stays in the protected area shall prevent new permanent wear and tear to the terrain and cultural remains. Paths shall be used where such exist. Stones, stakes and other objects used at the site shall be cleared away and returned to where they were found. A sufficient distance shall be kept from;

- wildlife to avoid unnecessary disturbances
- protected cultural heritage sites that are not in use, so that these are not exposed to trampling or other activity that poses a risk of damage.

Section 4.5 shall read as follows:

4.5 Landing in connection with tourist activities is prohibited.

Section 4.6 shall read as follows:

4.6 Ships that call at the nature reserve cannot have more than 200 passengers on board.

The current section 4.5 will become section 4.7.

The new section 6 shall read as follows:

6. It is prohibited to use unmanned vessels (drones) and other remotely operated or autonomous unmanned devices in the air, on the ground, on and under water.

Section 5

The last indent in section 5 shall read as follows:

- the use of unmanned vessels (drones) and devices as stated in section 4, item 6 for the same purposes as stated in the indent above and for use in the administrative authority's tasks.

Section 6

The new section two shall read as follows:

For purposes other than recreational and hobby purposes, the administrative authority may grant permission for the use of unmanned vessels (drones) and devices as stated in section 4 subsection 6.

The current second paragraph will become the third paragraph.

V

The following amendments are made to Regulation no. 903 of 16 August 2002 on the conservation of Bjørnøya Nature Reserve in Svalbard:

§ 5a

The new section 5a shall read as follows:

§ 5a. (Prohibition against unmanned aerial vehicles (drones), etc.)

It is prohibited to use unmanned vessels (drones) and other remotely operated or autonomous unmanned devices in the air, on the ground, on and under water.

Section 8a

The new section 8a shall read as follows:

§ 8a. (Access and passage on land)

Any person who travels or stays in a protected area shall prevent new permanent wear and terrain to the terrain and culture structures and sites. Paths shall be used where such exist. Stones, stakes and other objects used at the site shall be cleared away and returned to where they were found.

A sufficient distance shall be kept from

- a) the wildlife to avoid unnecessary disturbance and*
- b) protected cultural heritage sites that are not in use, so that these are not exposed to trampling or other activity that poses a risk of damage.*

Section 8 b

The new section 8b shall read as follows:

Section 8b. Passenger limit on ships

Ships that call at the nature reserves cannot have more than 200 passengers on board.

Section 9

The second paragraph, letter a) shall be amended as follows:

The prohibition does not preclude

- a) access by sea in boats up to 40 feet. Such boats cannot travel at speed of more than 5 knots closer than 500 metres from shore*
- b) access and passage in connection with the use of the area as an emergency port.*

Section 12

The new letter d) in section 12 shall read as follows:

d) the use of unmanned vessels (drones) and devices as stated in section 5a for purposes other than recreational and hobby purposes.

VI

The following amendments are made to Regulation no. 1185 of 26 September 2003 on conservation of Hopen Nature Reserve in Svalbard:

Section 4

Section 4.1, the new second paragraph shall read as follows:

Any person who travels or stays in the protected area shall prevent new permanent wear and tear to the terrain and cultural remains. Paths shall be used where such exist. Stones, stakes and other objects used at the site shall be cleared away and returned to where they were found. A sufficient distance shall be kept from;

- wildlife to avoid unnecessary disturbances*
- protected cultural remains that are not in use, so that these are not exposed to trampling or other activity that poses a risk of damage.*

The new section 4.5 shall read as follows:

4.5 Ships that call at the nature reserve cannot have more than 200 passengers on board.

The current section 4.5 will become the new section 4.6.

The new section 6 shall read as follows:

6. It is prohibited to use unmanned vessels (drones) and other remotely operated or autonomous unmanned devices in the air, on the ground, on and under water.

Section 5

The new final indent shall read as follows:

- the use of unmanned vessels (drones) and devices as stated in section 4, item 6 for the same purposes as stated in the indent above and for use in the tasks of the administrative authority.*

Section 6

The new final indent of the first paragraph shall read as follows:

- the use of unmanned vessels (drones) and devices as stated in section 4 item 6 for purposes other than recreational and hobby purposes.*

VII

The following amendments are made to Regulation no. 1190 of 26 September 2003 on the conservation of the Festningen Geotope Protected Area in Svalbard:

Section 4

Section 4.1, the new second paragraph shall read as follows:

Any person who travels or stays in the protected area shall prevent new permanent wear and tear to the terrain and cultural remains. Paths shall be used where such exist. Stones, stakes and other objects used at the site shall be cleared away and returned to where they were found. A sufficient distance shall be kept from;

- the wildlife to avoid unnecessary disturbances and*
- protected cultural remains that are not in use, so that these are not exposed to trampling or other activity that poses a risk of damage.*

Section 4.2 shall read as follows:

4.2 Use of bicycles is only permitted on frozen and snow-covered ground.

Section 4.6 shall read as follows:

4.6 Ships that call at the geotope protected area cannot have more than 200 passengers on board.

The current section 4.6 will become the new section 4.7.

The new section 6 shall read as follows:

6. It is prohibited to use unmanned vessels (drones) and other remotely operated or autonomous unmanned devices in the air, on the ground, on and under water.

Section 5

The new final indent shall read as follows:

- the use of unmanned vessels (drones) and devices as stated in section 4, item 6 for the same purposes as stated in the indent above and for use in the tasks of the administrative authority.

Section 6

The new final indent of the first paragraph shall read as follows:

- the use of unmanned vessels (drones) and devices as stated in section 4 item 6 for purposes other than recreational and hobby purposes.

VIII

The following amendments are made to Regulation no. 1029 of 3 June 1983 on the conservation of the Moffen Nature Reserve in Svalbard:

Chapter IV, section 6

Chapter IV, section 6 shall read as follows:

6. Any person who travels or stays in the protected area shall prevent new permanent wear and tear to the terrain and cultural remains. Paths shall be used where such exist. Stones, stakes and other objects used at the site shall be cleared away and returned to where they were found. A sufficient distance shall be kept from;

- the wildlife to avoid unnecessary disturbances and

- protected cultural remains that are not in use, so that these are not exposed to trampling or other activity that poses a risk of damage.

Chapter IV section 7

Current Chapter IV, section 6 will become Chapter IV, new section 7.

Chapter IV section 8

Chapter IV, new section 8 shall read as follows:

8. It is prohibited to use unmanned vessels (drones) and other remotely operated or autonomous unmanned devices in the air, on the ground, on and under water.

V

The new section 3 shall read as follows:

3. The use of unmanned vessels (drones) and devices as stated in Chapter IV section 7 in connection with the administrative authority's tasks.

IX

The following amendments are made to Regulation no. 1980 of 18 June 2021 relating to Van Mijenfjorden National Park in Svalbard:

Section 4

The new second paragraph of section 4 shall read as follows:

Any person who travels or stays in the protected area shall prevent new permanent wear and tear to the terrain and cultural remains. Paths shall be used where such exist. Stones, stakes and other objects used at the site shall be cleared away and returned to where they were found. A sufficient distance shall be kept from

a) the wildlife to avoid unnecessary disturbance and

b) protected cultural heritage sites that are not in use, so that these are not exposed to trampling or other activity that poses a risk of damage.

Section 4a

The current section 4, second paragraph will become the new section 4a and the heading shall read as follows:

Section 4a. *Prohibition against access and passage*

Section 4b

The new section 4b shall read as follows:

Section 4b. *Landing and staying on land in connection with tourist activities*

Landing in connection with tourist activities and staying on land in connection with such landing are prohibited.

The prohibition does not apply

a) on snow-covered and frozen ground from 1 January to 25 May each year,

b) in the area hatched in green on the maps in Annex 5 showing the permitted landing area and limits for permitted access and passage on land in connection with landing.

Landing and staying on land according to this provision can only take place together with a guide who has knowledge about the natural and cultural environment.

Tourist activities mean tourist activities as defined in section 2a, letter b) of Regulation no. 731 of 27 June 2002 relating to camping activities in Svalbard.

§ 5a

The new section 5a shall read as follows:

Section 5a. *Passenger limit on ships*

Ships that call at the national park cannot have more than 200 passengers on board.

Section 7a

The new section 7a shall read as follows:

Section 7a. *Prohibition against unmanned remotely operated devices (drones), etc.*

It is prohibited to use unmanned vessels (drones) and other remotely operated or autonomous unmanned devices in the air, on the ground, on and under water.

Section 8

Section 8 shall read as follows:

Section 8. *Exemptions for police tasks, inspection services and emergency operations by the fire and rescue services, etc.*

Performing police tasks and emergency operations by the fire and rescue service may, if necessary, be carried out notwithstanding the provisions of the regulations. *The Governor of Svalbard may carry out the necessary inspection activities notwithstanding the provisions of the regulations.*

Unmanned vessels (drones) and devices as stated in section 7a may be used for the same purpose as stated in the first paragraph and for the administrative authority's tasks.

Section 9

The new letter h) in section 9, first paragraph shall read as follows:

h) the use of unmanned vessels (drones) and devices as stated in section 7a for purposes other than recreational and hobby purposes.

Annexes

The new Annex 5 shall read as follows:

Annex 5


X

The amendments will come into force on 1 January 2023.

Appendix 5

Landing and stay on land in connection with tourist activities cf. § 4a second section b) - Van Mijenfjorden nasjonalpark

Vårsolbukta

 Landing in connection with tourist activities and staying on land in connection with such landing is permitted within the boundaries of the cross-hatched area cf § 4a second section b)

Map source: Norwegian Polar institute
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Map production: Norwegian Environment Agency

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