

MARITIME ZONES ACT 2012

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MARITIME ZONES ACT 2012

AN ACT TO PROVIDE FOR THE INTERNAL WATERS, THE ARCHIPELAGIC WATERS, THE TERRITORIAL SEA, THE CONTIGUOUS ZONE, THE EXCLUSIVE ECONOMIC ZONE AND THE CONTINENTAL SHELF OF TUVALU.

ENACTED BY THE PARLIAMENT OF TUVALU

Commencement [4th May, 2012]

1 Short Title

This Act may be cited as the Maritime Zones Act 2012.

2 Commencement

This Act shall commence on the date of publication.

3 Interpretation

(1) In this Act

archipelago means a group of islands, including parts of islands, interconnecting waters and other natural features, which are so closely interrelated that they form an intrinsic geographical, economic and political entity, or have historically been regarded as such;

lagoon means the waters lying within the reef of an atoll;

low-water line means the line of low water at the lowest astronomical tide;

nautical mile means an international nautical mile of 1,852 metres.

Section 4

PART 4 EXCLUSIVE ECONOMIC ZONE

11 Exclusive economic zone

- (1) Subject to subsections (2) and (3), the exclusive economic zone of Tuvalu comprises those areas of the sea, seabed and subsoil that are beyond and adjacent to the territorial sea, having as their outer limits a line measured seaward from the baseline described in section 7(1), every point of which is not more than 200 nautical miles from the nearest point of that baseline.
- (2) Where an archipelagic baseline is declared under section 7(3), the outer limits of the exclusive economic zone are a line measured seaward from that archipelagic baseline, every point of which is not more than 200 nautical miles from the nearest point of that archipelagic baseline.
- (3) The Minister may, by order, for the purpose of implementing any international agreement or the award of any international body, declare that the outer limits of the exclusive economic zone of Tuvalu are such as are specified in the order.

PART 5 CONTINENTAL SHELF

12 Continental shelf

- (1) Subject to subsections (2) and (3), the continental shelf of Tuvalu comprises those parts of the seabed and subsoil of the submarine areas beyond and adjacent to the territorial sea, having as their outer limits a line measured seaward from the baseline described in section 7(1), every point of which is

- (c) of its rights in the exclusive economic zone or continental shelf.
- (4) Within the exclusive economic zone and continental shelf, Tuvalu has exclusive jurisdiction over the artificial islands, installations and structures referred to in subsection (3), including jurisdiction with regard to customs, fiscal, health, safety and immigration laws and regulations.
- (5) Within the exclusive economic zone and continental shelf, Tuvalu:
 - (a) has jurisdiction with respect to protection and preservation of the marine environment, and
 - (b) has the right to regulate, authorise and conduct marine scientific research..
- (6) Within the contiguous zone, the exclusive economic zone and the continental shelf, Tuvalu has such other rights as are conferred or recognised by international law.

16 Rights of other States in maritime zones

- (1) The Minister may, by order
 - (a) designate sea lanes and air routes suitable for the continuous and expeditious passage of foreign ships and aircraft through and over the archipelagic waters and the adjacent territorial sea;
 - (b) prescribe traffic separation schemes for the purpose of ensuring the safe passage of ships through narrow channels in any such sea lanes, and
 - (c) prescribe sea lanes and traffic separation schemes for foreign ships exercising the right of innocent passage through the territorial sea.
- (2) In sea lanes and air routes designated under subsections (1)(a) and (1)(b), all ships and aircraft may, in accordance with international law, enjoy the right of navigation and overflight, in their normal modes, for the purpose of continuous, expeditious and unobstructed transit through and over the archipelagic waters and the adjacent territorial sea, from one part of the high seas or exclusive economic zone to another part of the high seas or exclusive economic zone.
- (3) Until sea lanes and air routes are designated under subsections (1)(a) and (1)(b), the rights of navigation and overflight referred to in subsection (2) may be exercised through and over all routes normally used for international navigation and overflight.
- (4)

- (b) regulating the exploration and exploitation, conservation and management of the natural resources within the exclusive economic zone;
- (c) regulating the exploration and exploitation of the exclusive economic zone for the production of energy from the water, currents and winds, and for other economic purposes;
- (d) regulating the construction, operation and use of artificial islands, installations and structures within the exclusive economic zone and the continental shelf, including requirements for the establishment of safety zones around any such island, installation or structure;
- (e) prescribing measures for the protection and preservation of the marine environment of the exclusive economic zone and continental shelf;
- (f) regulating the exploration and exploitation of the continental shelf and of its natural resources;
- (g) regulating drilling on the continental shelf and
- (h) providing for such other matters as are necessary or expedient to give effect to the rights and obligations of Tuvalu in relation to its internal waters, archipelagic waters, territorial sea, contiguous zone, exclusive economic zone and continental shelf, or as are necessary to give full effect to the provisions of this Act.