



Foreign, Commonwealth
& Development Office

**UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
ANTARCTIC ACT 1994 & ANTARCTIC ACT 2013**

ANTARCTIC REGULATIONS 1995/490 (as amended)

Permit for activities under Section 3 of the Antarctic Act 1994

(No. 24/2021-22)

Endurance 22



Foreign, Commonwealth
& Development Office


**UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
ANTARCTIC ACT 1994 & ANTARCTIC ACT 2013**

ANTARCTIC REGULATIONS 1995/490 (as amended)

Permit for a British Expedition to enter Antarctica

This permit (**No. 24/2021-22**), granted under Section 3 of the Antarctic Act 1994 (as amended by the Antarctic Act 2013) to **Donald Lamont (“the permit holder”)** of **Falklands Maritime Heritage Trust, BDB Pitmans LLP, One Bartholomew Close, London, EC1A 7BL** authorises entry to and activities in Antarctica as specified herein and in accordance with the itinerary as detailed in Appendix I. The activities authorised are those listed in section 3.1 of the Endurance22 Initial Environmental Evaluation, submitted with the application dated 1 December 2021 and in the supporting documents detailed in Appendix III.

This permit is valid for the period **5 February 2022 to 20 March 2022** and is subject to the conditions listed overleaf.

Signed on behalf of the Secretary of State
Deputy Head
Polar Regions Department

Dated..... 20 January 2022

Official stamp



Name and address of permitting authority:

Foreign, Commonwealth & Development Office
London SW1A 2AH

General Conditions

- 1 This permit is not transferable.
- 2 This permit may be suspended or revoked at any time in accordance with Regulation 10 of the Antarctic Regulations 1995 (S.I. 1995/490).
- 3 This permit (or a true photocopy of it), the ship's Polar Code Certificate and Polar Water Operational Manual (if held) and all applicable documents as required to be carried on board ships as listed in Annex 1 to the International Convention for the Safety of Life at Sea shall be carried on board the vessel on which the expedition is embarked, as specified in the application of 1 December 2021, or by the permit holder. The Master of the vessel, or such person delegated by them, shall, if so requested, produce this permit (or a true photocopy of it) and the originals of these documents to any authorised person (see Notes below). If any of these certificates or documents which are otherwise required for the lawful operation of the vessel, is suspended, revoked or expires before the vessel reaches, or while the vessel is in, Antarctica, the operator shall inform the Foreign, Commonwealth & Development Office (FCDO) immediately, and the vessel shall not proceed unless and until the FCDO so authorises and in accordance with such directions as it may give, which may include a direction to leave, or not to enter, Antarctica.
- 4 The permit holder must ensure that all activities undertaken under this permit are conducted in a manner that is consistent with the requirements of the Protocol on Environmental Protection to the Antarctic Treaty. The permit holder must ensure that all persons authorised under this permit familiarise themselves with and observe the requirements of the Antarctic Act 1994, Antarctic Act 2013 and the Antarctic Regulations 1995 (S.I. 1995/490 as amended).
- 5 The permit holder must ensure that all persons authorised under this permit are aware of the requirements and mitigations set-out in the Initial Environmental Evaluation, and the General and Specific Conditions set-out in this permit.
- 6 The permit holder is responsible for ensuring that *all* members of the expedition have insurance in place which meets the requirements under ATCM XXVII Measure 4 (2004) in respect of Insurance and Contingency Planning for Tourism and Non-Governmental activities, notably ensuring that 'adequate insurance or other arrangements are in place to cover any costs associated with search and rescue and medical care and evacuation'. Insurance must cover all activities which expedition members intend to carry out in Antarctica.
- 7 The permit holder is ultimately responsible for ensuring that the terms of this permit are strictly adhered to. It is a condition of this permit that the contents and undertakings contained in the application of 1 December 2021 and

supporting documents (Appendix III) must be complied with fully and at all times during the period that the expedition is in Antarctica.

- 8 The vessel must comply with all itinerary and routing information previously provided to the FCDO. In this case, reference should be made to the routing information contained in Appendix III. Any significant changes to the itinerary shall be immediately notified to the FCDO for consideration.
- 9 This permit does not allow the vessel or the expedition to enter any Antarctic Specially Protected Area (ASPA) as defined under the terms of the Antarctic Treaty. Entry to any Antarctic Specially Managed Area (ASMA) must follow the published Management Plan for that Area. On the Antarctic Treaty Secretariat website, details of all ASPAs and ASMAs can be found <https://ats.aq/devph/en/apa-database>.
- 10 All crew, passengers, and expedition members must observe the relevant Antarctic Treaty rules on protection of fauna and flora and ensure that the necessary minimum distances from wildlife are maintained. All personnel should also familiarise themselves with the general and site specific visitor guidelines that have been adopted by the Antarctic Treaty Parties. All necessary precautions must be taken to avoid the introduction or transfer of non-native species into Antarctica. Please see the Committee for Environmental Protection's Non-Native Species Manual (https://documents.ats.aq/ATCM40/att/atcm40_att056_e.pdf) and/or IAATO "Don't Pack a Pest" guidance (<https://iaato.org/dont-pack-a-pest>) for more details.
- 11 To minimise the risk of a potential bird strike, every effort should be made to block out non-essential light visible on outer decks during the hours of darkness.
- 12 The vessel shall not be used in Antarctica for any purpose other than that specified.
- 13 The vessel shall comply at all times with the requirements of the law of the country of the vessel's registration relating to merchant shipping. Adequate insurance for the vessel must also be in place for the duration of the expedition, with proof of insurance provided to the permitting authority ahead of the departure of the expedition.
- 14 The operator(s) of the vessel shall take due account of acceptable minimum standards for safe operations.
- 15 All other permits (or other authorisation) required by the Antarctic Act 1994 and the Antarctic Act 2013 shall be obtained before the vessel enters Antarctica.
- 16 The provisions of Appendix II shall be strictly complied with. However, an exception may be made in cases of emergency relating to the safety of human life or of ships, aircraft or equipment and facilities of high value or to

the protection of the environment. Notice of activities undertaken in case of emergency must be communicated immediately to the FCDO.

- 17 If at any time while the vessel is in Antarctica, for whatever reason, it ceases to be in a condition in which it can comply with the other conditions of this permit the operator shall inform the FCDO immediately. Thereafter, the vessel shall proceed in accordance with such directions as the FCDO may give, which may include a direction to leave Antarctica
- 18 All emergencies in Antarctica involving the expedition covered by this permit must be reported to the FCDO, by the permit holder (or as appropriate, the owner of the vessel) as soon as reasonably practicable and, in any event, within 24 hours of having become aware of the emergency arising.
- 19 The vessel must have adequate routine and emergency communication equipment and procedures for the Antarctic. This specifically includes formalised communication reporting schedules.
- 20 The vessel must have adequate special emergency equipment and procedures in place for Antarctica. These must include formalised search and rescue arrangements, as well as sufficient Antarctic survival equipment for both land and sea. Any changes to logistical support or arrangements for search and rescue and medical evacuation shall be communicated immediately to the FCDO.
- 21 The passenger carrying capacity of the vessel shall not be exceeded except in a case of an emergency relating to the safety of human life or of ship or aircraft or equipment and facilities of high value or to the protection of the environment.
- 22 The vessel shall not refuel in Antarctica.
- 23 Details of any expedition members not named in the permit and planning to enter Antarctica must be provided to the FCDO in advance of their departure for Antarctica.
- 24 A summary report on the activities carried out within Antarctica must be provided to the FCDO by **2 May 2022**. The report should declare whether all permit conditions have been fully adhered to and whether to the best of your knowledge any harm has occurred to any native mammal or bird or habitat of a native mammal or bird as a result of this expedition to Antarctica. The report should also include a summary of environmental impacts (including cumulative impacts from previous expeditions). The report form can be found on <https://www.gov.uk/visits-to-antarctica-how-to-apply-for-a-permit>.

Specific conditions

- 1 This permit details a number of conditions on the use and operation of a vessel. It does not provide the specific authorisation – to the extent that it may be required - for this vessel to enter or be present in Antarctica. It is the responsibility of the vessel operator to ensure that any national Antarctic authorisation or other requirements relating to the country of the vessel's registration are met in full.
- 2 This permit covers the activities set-out in section 3.1 of the *Endurance22 Initial Environmental Evaluation*. It is noted that additional programmes of marine engineering, meteorological, and oceanographic research will be conducted from the vessel, but are not formally part of this expedition. It is understood, from the applicant, that these activities will be authorised by South Africa. For the avoidance of doubt, these activities are not authorised by this permit.
- 3 The actions and mitigation measures identified in the *Endurance 22 Initial Environmental Evaluation* must be fully complied with.

Sea Ice Research

- 4 This permit gives authority for the expedition team to collect a maximum of 150 sea-ice cores and 400 500ml snow samples for scientific purposes.
- 5 This permit gives authority for up to four 'snow buoys' to be deployed to selected ice floes. It is noted that these may not be recoverable. The number of unrecovered buoys should be recorded in the post season report, provided to the FCDO by 2 May 2022.
- 6 During the collection of samples, the permit holder must take every precaution to minimise the impact on the environment.

Submersibles

- 7 This permit details a number of conditions on the use and operation of submersibles, which includes both automated and remotely operated vehicles. It does not provide specific authorisation – to the extent that it may be required – for the submersibles to enter or be present in Antarctica. It is the responsibility of the submersible operator to ensure that any national Antarctic authorisation or other requirements relating to the country of the submersible's registration are met in full.
- 8 The submersibles must operate safely and within their designated capabilities at all times. Prior to the launch of the submersibles, and again immediately prior to any dive, a careful assessment of the suitability of the dive site must be carried out by the pilot of the submersible.

- 9 During every dive the submersible must remain in contact with, and within a reasonable depth and distance of, its support vessel so as to ensure that assistance, or a quick return to the support vessel, is possible, for example in the case of malfunction, emergency or sudden change in the sea conditions.
- 10 The permit holder is responsible for ensuring that the pilot(s) of the submersibles observes the relevant Antarctic Treaty rules on protection of fauna and flora at all times, as applicable, and ensures that the necessary minimum distances from wildlife are maintained.
- 11 If marine mammals or cetaceans are observed, submersible operations that could cause disturbance must be paused until the wildlife has moved away. Submersibles should be operated at a sufficient distance from the sea floor to avoid disturbance of the benthos.

Wreck

- 12 If located, the wreck of the *Endurance* must not be touched, and nothing shall be moved or removed from the site. The *Endurance* is listed as Antarctic HSM 93, and for the avoidance of doubt, this permit does not authorise damage, destruction, or removal of any part of the wreck.
- 13 Submersibles should remain an appropriate distance from the wreck of the *Endurance* to avoid any risk of accidental collision.
- 14 The permit holder must ensure that there is no intervention with the fabric of any wrecks located, including prising of items from the wood.

Aircraft

- 15 This permit details a number of conditions on the use and operation of aircraft from the vessel in question. It does not provide the specific authorisation – to the extent it may be required - for these aircraft to enter or be present in Antarctica. It is the responsibility of the aircraft operator to ensure that any national Antarctic authorisation or other requirements relating to the country of the aircraft's registration are met in full.
- 16 The operation of the aircraft in Antarctica must be in line with Standard Operating Procedures, as submitted as part of the permit application, unless stricter conditions are listed in the permit itself.
- 17 The manufacturer's approved safe passenger carrying capacity of the aircraft shall not be exceeded.
- 18 The over flight of protectively managed areas in Antarctica must be in accordance with the Management Plans for those areas. Specific over flight height restrictions detailed in the Management Plans must be observed at all times.

- 19 Any landings of the aircraft in Antarctica, other than landings on the expedition vessel, must be on open and level ground; suitable for the safe exiting of the aircraft; with wind less than 15kts at both ground level and in the airspace up to 500m above; with good all-round visibility; and no shut-down of engines.
- 20 The permit holder shall take due account of acceptable minimum standards for safe operations. In particular, the aircraft must have adequate special emergency equipment and procedures in place for operating in Antarctica. These must include formalised search and rescue arrangements, as well as sufficient Antarctic survival equipment on board for all pilots and passengers that is adequate for use on both land and sea.
- 21 In the event of any mechanical, logistical, personnel or weather-related failure that prevents the return of the aircraft to its support vessel, all necessary actions must be taken by the permit holder to ensure the removal of the aircraft or its remains (whether feasible in whole or in parts) from Antarctica safely and securely and without any avoidable impacts on the Antarctic environment.
- 22 In the event of an emergency or other incident involving the aircraft, the aircraft and passengers must be readily and swiftly assisted by expedition crew coming from its support vessel. In this context, assistance includes the recovery of the pilot and passengers. The permit holder is also responsible for the removal of the aircraft.
- 23 The permit holder is responsible for ensuring that the pilot of the aircraft observes the relevant Antarctic Treaty rules on protection of fauna and flora at all times as applicable.
- 24 The aircraft must not be flown in a manner which would unnecessarily disturb wildlife concentrations in Antarctica and must be flown in a manner that is in line with aviation guidelines. The aircraft should comply with the Guidelines for the Operation of Aircraft near Concentrations of Birds in Antarctica, as appended to ATCM Resolution 2(2004), except in the case of an emergency of the type listed in General Condition 16 above. This includes, inter alia, that in operating the aircraft, the permit holder must:
 - a. avoid over-flying at a height of less than 2000 feet above ground level, penguin, albatross and other bird colonies;
 - b. notwithstanding Specific Condition 24, avoid hovering or making repeated passes over wildlife concentrations or flying lower than necessary;
 - c. maintain a vertical separation distance of 2,000 feet above ground level and horizontal separation of a quarter of a nautical mile from the coastline; except when landing;
 - d. cross coastlines at right angles and with a height of at least 2,000 feet above ground level; and
 - e. avoid landings within half a nautical mile of penguin, albatross or other bird colonies.

- 25 If wildlife disturbance is observed at any separation distance, a greater distance should be maintained wherever practical. The Antarctic Wildlife Awareness Manual (WAM) should be used as a reference guide in highlighting specific areas of sensitivity and should be used prior to take-off in planning flights.
- 26 Any negative interaction between aircraft and wildlife must be included in the post season report sent to FCDO by 2 May 2022.
- 27 Except for exhaust gasses, all wastes produced in flight or while the aircraft is on the ground must be removed and taken back to the vessel.
- 28 Refuelling of the aircraft must only be carried out onboard the vessel, and in a way which avoids loss or spillage of fuel.

Remotely Piloted Aircraft Systems

- 29 The use and operation of Remotely Piloted Aircraft Systems (RPAS) or Unmanned Aerial Vehicles (UAV) flights are permitted on the proviso that Antarctic Treaty Resolution 4 (2018): Environmental Guidelines for Operation of RPAS in Antarctica are adhered to.
https://documents.ats.aq/recatt/att645_e.pdf
- 30 If there is any interaction between RPAS and wildlife, the flight should be terminated. Any negative interaction with wildlife should be included in the post season report sent to FCDO by 2 May 2022.

Notes pertaining to the Condition of this permit:

- 1 Any entry to Antarctica, other than in accordance with the authorisation granted by this or any other permit granted under the Act (or written authorisation of another State Party to the Environmental Protocol to the Antarctic Treaty 1991), or any breach of the conditions of this permit, may lead to suspension or revocation of the permit in accordance with the provisions of the Antarctic Regulations 1995, and is punishable as an offence under section 3(5), section 3(6) or section 13(2) of the Antarctic Act 1994, for which the maximum penalty is **two years imprisonment or an unlimited fine** or both.
- 2 Persons authorised to require production of this permit in Antarctica are listed in Regulation 9(5) of the Antarctic Regulations 1995, and include a magistrate, or public officer of the British Antarctic Territory, a station leader of the British Antarctic Survey, an Antarctic Treaty Observer, a British naval officer or the Master of a British Antarctic Survey vessel.
- 3 "Antarctica" means all land, sea and ice shelves, and the airspace above them, south of 60° South latitude.

APPENDIX I

ANTARCTIC ACT 1994 & ANTARCTIC ACT 2013 ANTARCTIC REGULATIONS 1995 (S.I. 1995/490 as amended)

Expedition Details

Permit Number: No. 24/2021-22

GENERAL INFORMATION

- 1 **Name of expedition:** Endurance 22
- 2 **Purpose of expedition:** Search for and survey of the wreck of Shackleton's *Endurance*, and programme of sea ice research.
- 3 **General location of expedition in Antarctica:** Western Weddell Sea.
- 4 **Dates of the expedition:** 5 February 2022 – 12 March 2022
5. **Contact details (Address, phone number and Email):** Donald Lamont, Falklands Maritime Heritage Trust, BDB Pitmans LLP, One Bartholomew Close, London, EC1A 7BL International tel no:+44 (0) 1189570416 Email: Donald@FMHT.co.uk
6. **Person(s) covered by the permit below:**

Full Name	Nationality
John Shears	British
Mensun Bound	British
Jean Christophe	French
Nico Vincent	French
Thomas Andreasson	Swedish
Lars Lundberg	Swedish
Chad Bonin	American
Kerwin Taylor	British
Frederic Bassemayousse	French
Joseph Leek	British
Pierre Le Gall	French
Francois Mace	French
Robert McGunnigle	British
Gregoire Morizet	French
Jeremie Morizet	French
Maeve Onde	French

Clement Schapman	French
Frederic Soul	French
Knowledge Bengu	South African
Frederick Lighthelm	South African
Richard Garriott de Cayeux	British / American
Tim Jacob	
Lasse Rabenstein	German
Beat Rinderknecht	German
Steffi Arndt	German
Jakob Belter	German
Christian Katlein	German
Alexandra Stocker	Swiss
Mira Suhrhoff	German
Dr. Thomas Busche	German
Dmitrii Murashkin	Russian
Natalie Hewit	British
Nick Birtwistle	British
Dan Snow	British
Esther Horvath	German
Lucy Coulter	British
Carl Elkington	South African

APPENDIX II

WASTE DISPOSAL, WASTE MANAGEMENT AND PREVENTION OF MARINE POLLUTION

Rule 1

Application

This Appendix applies at all times whilst the vessel is in Antarctica.

Rule 2

Waste Disposal by Removal from Antarctica

- 1 The following wastes must be removed from Antarctica, if generated by the vessel:
 - (a) radio-active materials;
 - (b) electrical batteries;
 - (c) fuel, both liquid and solid;
 - (d) wastes containing harmful levels of heavy metals or acutely toxic or harmful persistent compounds;
 - (e) poly-vinyl chloride (PVC), polyurethane foam, polystyrene foam, rubber and lubricating oils, treated timbers and other products which contain additives that could produce harmful emissions if incinerated;
 - (f) all other plastic wastes, except low density polyethylene containers (such as bags for storing wastes), provided that such containers are incinerated in accordance with Rule 6 below;
 - (g) fuel drums;
 - (h) other solid, non-combustible wastes.

- 2 The following wastes must also be removed from Antarctica unless incinerated, autoclaved or otherwise treated to be made sterile:
 - (a) residues of carcasses of imported animals;
 - (b) laboratory culture of micro-organisms and plant pathogens;
 - (c) introduced avian products.

Rule 3

Discharge of noxious liquid substances

In addition to any noxious liquid substances (as listed in Appendix II to Annex II of MARPOL*), the discharge of any other chemicals or other substances, in quantities or concentrations that are harmful to the marine environment is prohibited.

Rule 4

Disposal of Garbage

- 1 The disposal into the sea of all garbage, including paper products, rags, glass, metal, bottles, crockery, timber, dunnage, lining and packing materials, is prohibited.
- 2 The disposal into the sea of food wastes may be permitted when they have been passed through a comminuter or grinder, provided that such disposal shall, except in cases permitted under Annex V of MARPOL be made as far as practicable from land and ice shelves but in any case not less than 12 nautical miles from the nearest land or ice shelf. Such comminuted or ground food wastes must be capable of passing through a screen with openings no greater than 25 millimetres.

Rule 5

Disposal of Sewage

- 1 The discharge into the sea of untreated sewage ("sewage" being defined in Annex IV of MARPOL) within 12 nautical miles of land or ice shelves is prohibited. Beyond such distance, sewage stored in a holding tank must not be discharged instantaneously but at a moderate rate and, where practicable, while the ship is en route at a speed of no less than 4 knots.

This paragraph does not apply to ships certified to carry not more than 10 persons.

Rule 6

Waste Disposal by Incineration

Wastes, which are not dealt with under Rules 2, 3, 4 and 5 above, must be burnt in incinerators which to the maximum extent practicable reduce harmful emissions. The solid residue of such incineration must be removed from Antarctica. Shipboard incinerators are to be designed, constructed, operated and maintained in accordance with the appropriate IMO standards.

Rule 7

Other Waste Disposal

Wastes generated at research stations and field camps and taken on board the vessel for disposal must also be dealt with in accordance with this Appendix.

Rule 8

Storage of Waste

All wastes to be removed from Antarctica, or otherwise disposed of, must be stored on board the vessel in such a way as to prevent their dispersal into the environment.

- * MARPOL refers to MARPOL 73/78 and means the International Convention for the Prevention of Pollution from Ships, 1973, as amended by the Protocol of 1978 relating thereto and by any other amendment in force thereafter.

Rule 9

Prohibited Products

It is prohibited for the vessel to introduce onto land or ice shelves or into water in Antarctica polychlorinated biphenyls (PCBs), non-sterile soil, polystyrene beads, chips or similar forms of packaging, or pesticides (other than those required for scientific, medical or hygiene purposes) onto land or ice shelves or into water in Antarctica.

Rule 10

Management Practices

The permit holder must ensure that:

- (a) all officers and crew receive training designated to limit the impact of their operations on the Antarctic environment and inform them of the requirements of this Appendix; and that
- (b) the use of poly-vinyl chloride (PVC) products is discouraged and any PVC products introduced into Antarctica must be removed subsequently in accordance with this Appendix.

APPENDIX III

APPLICATION INCLUDING ITINERARY, PASSENGER LIST AND ENVIRONMENTAL IMPACT ASSESSMENT

Email of 1 December 2021 – ‘Endurance22: Final Application for a Permit and Environmental Impact Assessment’ containing:

- Endurance 22 Expedition Permit Application Form
- Endurance 22 Specialist Permit Application Form
- Passport – Donald Lamont

Email of 1 December 2021 – ‘Endurance 22 – Documentation in Support’ containing:

- Pilot Helicopter Licence – Waldo Venter
- Pilot Helicopter Licence – Lisa Kate Le Roux
- Pilot Helicopter Licence – Mukapitendwa Remuluwani Emmanuel Khalushi
- Pilot Helicopter Licence – Vuyisa Mrwebi
- Pilot Helicopter Licence – Charles Peter Tait
- Ultimate Heli Antarctica Standard Operating Procedures
- Ultimate Heli Antarctica Standard Operating Procedures – Annex A
- Ultimate Heli Ground Support Operations Standard Operating Procedures
- Ultimate Heli Standard Operating Procedures Bell 412EP
- Document of Compliance – ISM Code for African Marine Solutions Group (Pty) Ltd.
- Polar Ship Certificate – S.A. Agulhas II
- Safety Management Certificate – ISM Code – S.A. Agulhas II

Email of 1 December 2021 – ‘Endurance 22 – Environmental Impact Assessment’ containing:

- Endurance 22 Expedition IEE FINAL (word doc)
- Endurance 22 Expedition IEE FINAL (pdf)
- Endurance 22 Expedition IEE FINAL (low res pdf)

Email of 1 December 2021 – ‘Endurance 22: Risk Management’ containing:

- Endurance 22 Risk Management Plan (word doc)
- Endurance 22 Risk Management Plan (pdf)
- Appendix 2 – Risk Register

Email of 13 December 2021 – ‘Re: Endurance 22: Permit Application’ containing:

- Final COVID-19 Safety Protocol for Endurance22 Team Members on Board the SA Agulhas II Vr6 – 10 December 2021

Email of 16 December 2021 – ‘Endurance22: Personal Accident/Medevac’ containing:

- Copy of Personal Accident/Medevac insurance policy

Email of 18 December 2021 – ‘Re: Endurance22: Personal Accident/Medevac’ containing:

- FINAL Ultimate Heli FMHT Endurance22 (CLEAN 20211214) contract

Email of 13 January 2022 – ‘Endurance22: Personal Accident/Medevac’ containing:

- Additional confirmation of arrangements for search and rescue and medical evacuation

Email of 17 January 2022 – ‘Endurance22: Personal Accident/Medevac’ containing:

- Confirmation that meteorological, oceanographic, and marine engineering activities are out of scope of the expedition, and permitted by South Africa
- Confirmation that existing insurance policy would be extended to cover evacuation from Antarctica

Email of 20 January 2022 - ‘Endurance22: Personal Accident/Medevac’ containing:

- Confirmation of personnel already permitted by South Africa