Guidelines for conducting Marine Scientific Research* in Areas under Jamaica’s Maritime Jurisdiction

Preamble

Any foreign nationals or foreign institutions, whether private or public, that seek to conduct marine scientific research on board a vessel in areas under Jamaica’s maritime jurisdiction pursuant to these guidelines, will be subject to the applicable laws of Jamaica, as well as the principles of international law, particularly those found under the United Nations Convention on the Law of the Sea.

Requirement

1. Any foreign nationals or foreign institutions, whether private or public, entering areas under Jamaica’s maritime jurisdiction (territorial sea or exclusive economic zone or on the continental shelf) to conduct marine scientific research shall obtain the consent of the Government of Jamaica prior to entry.

2. Those foreign nationals or foreign institutions planning to conduct marine scientific research shall submit a formal request of consent together with the application form provided in Annex I at least six (6) months in advance of the expected start date of research activities (in areas under Jamaica’s maritime jurisdiction) through diplomatic channels to the Ministry of Foreign Affairs and Foreign Trade of Jamaica.

3. If the research project involves catching, taking, disturbing, destroying or exploration of marine living and non-living resources in areas under Jamaica’s maritime jurisdiction, a separate approval from the relevant government entities including the Ministry of Agriculture and Fisheries of Jamaica, under the Exclusive Economic Zone Act and the National Environment and Planning Agency under the Endangered Species (Conservation,
Protection and Regulation of Trade) Act and the Wild Life Protection Act shall also be necessary unless otherwise stated in the law and relevant regulations.

4. If the research project involves the exploration, removal or exportation of non-living resources including geological samples (i.e. cores, dredging samples, minerals etc.), the relevant procedures and Acts should be adhered to including the Mining Act and Beach Control Act.

5. The conduct of scientific research in compliance with the guidelines outlined herein should not compromise the state of the ecosystems in areas under Jamaica's jurisdiction and should not result in a condition worse than that which existed at the start of the project.

6. The operators of the vessel are expected to contact the Jamaica Defence Force Coast Guard via telephone on commencement and upon completion of activities in areas under Jamaica’s maritime jurisdiction.

Compliance Procedure

7. [The Government of Jamaica may require that applications for scientific research in areas under Jamaica’s maritime jurisdiction be accompanied by a bond of US$*****. Said bond or part thereof will be refunded upon certification that the research was carried out in accordance with the licence/permission granted.]

8. All applications for marine scientific research in areas under Jamaica’s maritime jurisdiction must be accompanied by the stipulated licensing arrangement based on the nature of the research, pursuant to paragraph 3 of these regulations.

9. All research being done in areas under Jamaica’s maritime jurisdiction must make provision for the presence of at least one (1) Jamaican scientist on board and recommended students from a recognised tertiary institution.
10. Data collected during the research must be provided to the Government of Jamaica through the Ministry of Foreign Affairs and Foreign Trade or its designated entity in the requested format. Ship tracking, observations and preliminary/raw data should be submitted within 30 days of the completion of the research in areas under Jamaica’s maritime jurisdiction, and field reports within 12 months or as otherwise agreed. Samples should be handed over to participating scientists/researchers from Jamaica before disembarkation. All submissions must be in English.

11. Failure to comply with any of the above will result in refusal of permission to said vessel/organization/country for future research activities.

12. The Government of Jamaica reserves the right to suspend/terminate the permission granted for failure to comply with the (conditions of the licence, the laws of the country and/or conditions set out in the Convention.

* This application is solely for Marine scientific Research (MSR) on board a vessel. If the research project involves the exploration of minerals or hydrocarbons through Prospecting or Mining, permission from the Ministry with responsibility for mining is required in accordance with the law and relevant regulatory agency.