

Regulations relating to the National Parks of Sør-Spitsbergen, Forlandet and Nordvest-Spitsbergen, the Nature Reserves of Nordaust-Svalbard and Søraust-Svalbard and the bird reserves in Svalbard

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Chapter 1 Sør-Spitsbergen National Park, Forlandet National Park and Nordvest-Spitsbergen National Park

Section 1. National parks

Sør-Spitsbergen National Park, Forlandet National Park and Nordvest-Spitsbergen National Park in Svalbard were established in 1973, as shown on the map in Appendix 1.

Section 2. Boundary delimitation of the national parks

Sør-Spitsbergen National Park comprises Wedel Jarlsberg Land, Torell Land and Sørkapp Land and adjacent territorial waters. The boundary of the national park follows straight lines from Ljosodden across the summit of Volkovitsfjellet mountain to the easternmost bay in Van Keulenfjorden, and further along straight lines through Van Keulenfjorden between positions 77° 28′ N 16° 10′ E, 77° 32.5′ N 15° 50′ E, 77° 38.501′ N 13° 33.291′ E and 77° 32.986′ N 12° 53.169′ E, at the territorial limit; from here, it follows the territorial limit around Sørkapp and northwards along Storfjorden to position 77°15.894′N 18°23.821′E at the territorial limit, continuing along straight lines to position 77°19.182′ N 18°26.79′E and back to Ljosodden.

Forlandet National Park comprises Prins Karls Forland and adjacent territorial waters. To the west, the boundary follows the territorial limit to position 78°0.026'N 12°30.799'E, continuing along a straight line to position 78°11.971'N 12°32.165'E, which is the mid-point between points 109 and 110 on the baseline, and along straight lines along Forlandssundet through positions 78°30'N 12°0'E, 78°42'N 11°20'E and 78°50'N 11°20'E, and further along straight lines to position 79°0.258'N 10°47.627'E, which is the mid-point between points 118 and 119 on the baseline and position 79°8.583'N 10°0.353'E at the territorial limit.

Nordvest-Spitsbergen National Park comprises Moffen, Reinsdyrflya, Albert I Land and Haakon VII Land and adjacent territorial waters. The southern boundary follows straight lines from the innermost bay in Woodfjorden across the summit of Laborfjellet mountain, the southernmost summit of Tre Brødre, the highest peak of the H.U. Sverdrupfjella mountains, and Grimalditoppen to Kapp Guissez. From here the boundary continues along straight lines to 79°0.258'N 10°47.627'E, which is the mid-point between points 118 and 119 on the baseline, and to 79°8.583'N 10°0.353'E at the territorial limit, and then follows the territorial limit northwards and eastwards to 80°14.766'N 15°0'E, and continues southwards along 15°0'E to position 80°6.772'N 15°0'E; from here, it continues along straight lines along Woodfjorden through positions 79°32'N 13°38'E and 79°20'N 14°2'E and back to the innermost bay in Woodfjorden.

The descriptions of the boundaries are based on the Norwegian Polar Institute's map series Svalbard 1:250 000.

Section 3. Purpose of the national parks

The purpose of protecting the areas is to maintain large, continuous and largely undisturbed areas of natural environment on land and in the sea with intact habitats, ecosystems, species, natural ecological processes, landscapes, cultural heritage and cultural environments. The areas are to be maintained as reference areas for research purposes and for opportunities to experience Svalbard's natural and cultural heritage.

Sør-Spitsbergen National Park is particularly intended to safeguard:

- an area with a spectacular landscape including characteristic jagged alpine mountain formations, coastal plains and glaciers;
- several localities of varying sizes with cliff-nesting seabird colonies, breeding and wintering areas for ducks (particularly common eider) and important areas of polar bear habitat;
- important cultural heritage and cultural environments from earlier whaling activities, overwintering hunters and trappers, mining activities, tourism, research and the Second World War.

Forlandet National Park is particularly intended to safeguard:

- an island with a characteristic mountain range with jagged alpine mountains and a wide coastal plain;
- well-developed rock glaciers and frozen ground formations;
- several localities of varying sizes with cliff-nesting seabird colonies and a core area for the world's most northerly population of common seal (harbour seal);
- important cultural heritage and cultural environments from earlier whaling activities, overwintering hunters and trappers and prospecting for minerals.

Nordvest-Spitsbergen National Park is particularly intended to safeguard:

- an area with a spectacular landscape including characteristic jagged alpine mountain formations, islands and bays, the largest strandflat in Svalbard, Reinsdyrsflya, and a number of glaciers of varying sizes;
- areas of geological interest, particularly the area near Bockfjorden where there are thermal springs with lime deposits and remains of extinct volcanoes;
- a unique botanical locality near the thermal springs in Bockfjorden;
- several localities of varying sizes with cliff-nesting seabird colonies and breeding grounds for ducks, geese and waders;
- important cultural heritage and cultural environments from whaling activities, overwintering hunters and trappers, North Pole expeditions and the Second World War.

Section 4. Prohibition against motor traffic

The use of off-road vehicles and landing of aircraft is prohibited. This prohibition also applies to overflight of the areas above at altitudes below 300 metres and out to one nautical mile from land. The prohibition against overflight applies to the extent weather conditions permit. The Governor of Svalbard may by regulations lay down provisions relating to traffic at sea.

Section 4a. Passenger limitations on ships

Ships that call in the marine areas of the National Park may not have more than 200 passengers on board.

Section 5. Access and passage

Any person accessing or staying in the national parks shall prevent the occurrence of new, permanent tracks or wear and tear to the terrain or cultural heritage. Rocks, logs and other items used at the site shall be cleared and returned to the location where they were found.

A sufficient distance shall be maintained in relation to:

- (a) fauna, in order to avoid unnecessary disturbance; and
- (b) protected cultural heritage that is not in use, to ensure that such sites are not exposed to trampling or other activities resulting in a risk of damage.

Section 5a. Landings and stays on land as part of tourism activities

Landings as part of tourism activities and stays in connection with such landings are prohibited in the national parks.

This prohibition does not apply:

- (a) on snow-covered and frozen ground from 1 January to 25 May of each year;
- (b) in areas marked by a green or blue line on the maps in Appendix 6 which indicates permitted landing areas;
- (c) in areas shaded in green or blue on the maps in Appendix 6 indicating permitted landing areas and boundaries for permitted stays in connection with landings.

Landings and stays on land in accordance with this provision may only take place accompanied by a guide with knowledge of the natural and cultural environments.

For landings and stays on land in areas marked by a blue line or blue shading, there shall be a 1:12 guide-to-person ratio, and a maximum of 39 persons may land at one time.

For the purpose of these Regulations, tourism activities corresponds with the definition in the Regulations of 27 June 2002, No. 731 relating to camping activities in Svalbard, Section 2a (b).

Section 5b. Prohibition against access and passage

Landings, access and passage on land are prohibited year-round in delimited areas around automatically protected cultural heritage at Ytre Norskøya, Likneset, Ebeltofthamna and Lægerneset, as shown on the maps in Appendix 2.

Access and passage at Trollkjeldene is prohibited within the areas determined by coordinates on the map in Appendix 8, and illustrated by a red line therein.

Section 6. Protection against interference

The areas above are protected against all forms of interference, including the construction of buildings and installations of all types, regardless of whether or not they are fixed to the ground, mining, oil exploration and production, extraction of deposits, damming and other activities that involve physical disturbance of the landscape, terrain or disturbance of the natural environment.

The seabed is protected against fishing and other harvesting by diving, bottom trawling or dredging. Shrimp trawling is permitted in waters where the depth is 100 metres or more.

It is nevertheless permitted to establish terrestrial aids to navigation (lights, marks, etc.). Such installations shall be designed, constructed, maintained and supervised in consultation with the Governor of Svalbard.

Section 6a. Prohibition against unmanned remote-controlled devices (drones) etc.

The use of unmanned vehicles (drones) and other remote-controlled or autonomous unmanned devices in the air, on the ground, on and beneath the surface of the water is prohibited.

Section 7. Prohibition against pollution

Disposing or abandoning of waste is prohibited. Substances and objects that may harm the flora and fauna or which are unsightly shall not be dumped or abandoned.

It is prohibited to discharge sewage and greywater within 500 meters of land.

Section 8. Protection of the fauna

Mammals and birds and their lairs and nests are protected against all types of damage and disturbance.

Nevertheless, this protection does not preclude the harvesting of marine mammals that do not show site fidelity if this is governed by regulations adopted by the Ministry of Trade, Industry and Fisheries.

It is prohibited to introduce new species.

Section 9. Protection of the flora and fossils

Plants and fossils shall not be removed, and are protected against all types of damage or disturbance not caused by normal access or passage.

It is prohibited to introduce new species.

Section 10. Prohibition against prospecting for minerals and stones and regulation of mining rights

In protected areas, it is not permitted to prospect for minerals and stones covered by Section 2 of the Mining Code and no new mining rights will be awarded.

Section 11. Exemptions

The Governor of Svalbard may permit:

- (a) the construction, repair and maintenance of buildings used by the supervisory services and as basic shelter for the general public;
- (b) permanent residents of Svalbard to hunt ptarmigan in accordance with the prevailing rules;
- (c) permanent residents of Svalbard to use off-road vehicles along specified trails;
- (d) scientific studies, provided these will not be contrary to the purpose of the national park;
- (e) other activities when special reasons so indicate and they will not be contrary to the purpose of the national park;
- (f) the use of unmanned vehicles (drones) and devices as mentioned in Section 6a for purposes other than recreational and hobby activities.

Chapter 2 Nordaust-Svalbard and Søraust-Svalbard nature reserves

Section 12. Nature reserves

Nordaust-Svalbard and Søraust-Svalbard nature reserves in Svalbard were established in 1973, as stipulated in Section 13 and as shown on the map in Appendix 1.

Section 13. Boundary delimitation of the nature reserves

Nordaust-Svalbard Nature Reserve comprises Kvitøya, Kong Karls Land, Nordaustlandet and surrounding islands and territorial waters, and the land on the western side of Hinlopenstredet. The western boundary is formed by straight lines from position 79°54'N 16°48'E in Sorgfjorden, one running northwards to position 80°18.943'N 16°48'E at the territorial limit, and one running south-eastwards to the southernmost bay in Sorgfjorden, and continuing along straight lines to the summit of Svingfjellet mountain and to Kapp Mühry, further along straight lines to positions 78°39.697'N 21°24.672'E and 78°39.938'N 22°51.618'E at the territorial limit; after this the boundary continues along the territorial limit. The boundary follows the territorial limit round Kvitøya and Kong Karls Land.

Søraust-Svalbard Nature Reserve comprises Barentsøya and Edgeøya and the surrounding territorial waters and neighbouring islands, including Kükenthalvøya, Ryke Yseøyane, Halvmåneøya and Tusenøyane. The northern boundary follows the median line in Heleysundet to position 78°33'N 20°0'E: from here, it runs directly southwards to position 78°6.879'N 20°0'E, and further along straight lines through position 77°36.002'N 19°37.609'E to position 77°22.709'N 19°43.982'E at the territorial limit, and along the territorial limit around Edgeøya, Tusenøyane, Ryke Yseøyane and Barentsøya (including Halvmåneøya) to position 78°39.938'N 22°51.618'E at the territorial limit, and from there along a straight line to the median line in Heleysundet at position 78°39.666'N 21°18.943'E.

The descriptions of the boundaries are based on the Norwegian Polar Institute's map series Svalbard 1:250 000.

Section 14. Purpose of the nature reserves

The purpose of protecting the areas is to maintain large, continuous and largely undisturbed areas of natural environment on land and in the sea with intact habitats, ecosystems, species, natural ecological processes, landscapes, cultural heritage and cultural environments as reference areas for research purposes.

Nordaust-Svalbard Nature Reserve is particularly intended to safeguard:

- an area with a spectacular landscape, including the largest glaciers in Svalbard and many fjords and peninsulas;
- several small localities with cliff-nesting seabird colonies, breeding grounds for brent goose, haul-out and breeding areas for walrus and polar bear habitat;
- many lakes containing Arctic char, especially landlocked char;
- important cultural heritage from whaling activities, overwintering hunters and trappers, North Pole expeditions, research and the Second World War.

Søraust-Svalbard Nature Reserve is particularly intended to safeguard:

- two large islands with a characteristic landscape of plateau mountains and many small islands (Tusenøyane);
- localities with cliff-nesting seabird colonies, breeding grounds for brent goose, haul-out and breeding areas for walrus and polar bear habitat;
- habitat for large populations of Svalbard reindeer;
- important cultural heritage and cultural environments from earlier whaling activities and overwintering hunters and trappers.

Section 15. Prohibition against motor traffic

The use of off-road vehicles and landing of aircraft is prohibited. This prohibition also applies to overflight of the areas above at altitudes below 500 metres. The prohibition against overflight applies to the extent weather conditions permit.

Section 15a. Passenger limitations on ships

Ships that call in the marine areas of the nature reserves may not have more than 200 passengers on board.

Section 16. Access and passage

Any person accessing or staying in the nature reserves shall prevent the occurrence of new, permanent tracks or wear and tear to the terrain or cultural heritage. Rocks, logs and other items used at the site shall be cleared and returned to the location where they were found.

A sufficient distance shall be maintained in relation to:

- (a) fauna, in order to avoid unnecessary disturbance; and
- (b) protected cultural heritage that is not in use, to ensure that such sites are not exposed to trampling or other activities resulting in a risk of damage.

Section 17. Prohibition against access and passage on Kong Karls land

Access and passage are prohibited all year round on Kong Karls Land, comprising Svenskøya, Kongsøya, Abeløya and adjacent islands and surrounding waters out to a distance of 500 metres from land or elevations at the lowest tide. This prohibition also applies to overflight of the areas above at altitudes below 500 metres.

The purpose of the prohibition against access and passage is to prevent unwanted traffic in the most important denning areas and areas of habitat for polar bears from adversely impacting Svalbard's polar bear population.

Section 18. Prohibition against access and passage around protected cultural heritage

Landings, access and passage are prohibited year-round in delimited areas around automatically protected cultural heritage at Zieglerøya, Delitschøya, Spekkholmen and adjacent islets and skerries, Haudegen and Halvmåneøya, as shown on the maps in Appendix 3.

Section 19. Requirements for access and passage in Zone A

Zone A comprises the areas in Nordaustlandet and Edgeøya as indicated by a red line on the map in Appendix 4. Zone A comprises particularly important reference areas for research.

Any person wishing to access Zone A shall notify the Governor of Svalbard at least four weeks in advance. If it is considered necessary to safeguard the value of the areas as reference areas for research, the Governor of Svalbard may require travel plans to be changed, set requirements relating to travel plans or prohibit planned travel. A reporting form shall be submitted to the Governor of Svalbard after the stay in the area has ended.

The Governor Svalbard may adopt regulations relating to the duty to provide notification and reports.

Section 20. Prohibition against access and passage in Zone B

Zone B comprises the parts of Lågøya and Tusenøyane as indicated by a red line on the maps in Appendix 5.

All access and passage in Zone B, including all marine areas less than 500 metres from land, is prohibited in the period 15 May to 15 August.

Section 21. Landings and stays on land as part of tourism activities

Landings as part of tourism activities and stays in connection with such landings are prohibited in the nature reserves.

This prohibition does not apply to areas marked by a green or blue line on the maps in Appendix 6 which indicates permitted landing areas.

Landings and stays on land in accordance with this provision may only take place accompanied by a guide with knowledge of the natural and cultural environments.

For landings and stays on land in areas marked by a blue line, there shall be a 1:12 guide-to-person ratio, and a maximum of 39 persons may land at one time.

For the purpose of these Regulations, tourism activities corresponds with the definition in the Regulations of 27 June 2002, No. 731 relating to camping activities in Svalbard, Section 2a (b).

Section 22. Prohibition against unmanned devices (drones) etc.

The use of unmanned vehicles (drones) and other remote-controlled or autonomous unmanned devices in the air, on the ground, on and beneath the surface of the water is prohibited.

Section 23. Protection against interference

The areas above are protected against all forms of interference, including the construction of buildings and installations of all types, regardless of whether or not they are fixed to the ground, mining, oil exploration and production, extraction of deposits, damming and other activities that involve physical disturbance of the landscape, terrain or disturbance of the natural environment.

The seabed is protected against fishing and other harvesting by diving, bottom trawling or dredging. Shrimp trawling is permitted in waters where the depth is 100 metres or more.

It is nevertheless permitted to establish terrestrial aids to navigation (lights, marks, etc.). Such installations shall be designed, constructed, maintained and supervised in consultation with the Governor of Svalbard.

Section 24. Prohibition against pollution

Disposing or abandoning of waste is prohibited. Substances and objects that may harm the flora and fauna or which are unsightly shall not be dumped or abandoned.

It is prohibited to discharge sewage and greywater from ships and other vessels within 500 meters of land. In Rijpfjorden, it is prohibited to discharge sewage and greywater from ships and other vessels in the area as shown on the map in Appendix 7.

Section 25. Protection of the fauna

Mammals and birds and their lairs and nests are protected against all types of damage and disturbance.

Nevertheless, this protection does not preclude the harvesting of marine mammals that do not show site fidelity if this is governed by regulations adopted by the Ministry of Trade, Industry and Fisheries.

It is prohibited to introduce new species.

Section 26. Protection of the flora and fossils

Plants and fossils shall not be removed, and are protected against all types of damage or disturbance not caused by normal access or passage.

It is prohibited to introduce new plant species.

Section 27. Prohibition against prospecting for minerals and stones and regulation of mining rights

In protected areas, it is not permitted to prospect for minerals and stones covered by Section 2 of the Mining Code and no new mining rights will be awarded.

Section 28. Exemptions

The Governor of Svalbard may permit:

- (a) the construction, repair and maintenance of necessary buildings for emergency shelter and for supervisory purposes;
- (b) permanent residents of Svalbard to use off-road vehicles along specified trails on Ny Friesland;
- (c) scientific studies, provided these will not be contrary to the purpose of the nature reserves;
- (d) other activities when special reasons so indicate and they will not be contrary to the purpose of the nature reserves;
- (e) the use of unmanned vehicles (drones) and devices as mentioned in Section 22 for purposes other than recreational and hobby activities.

Chapter 3 The Bird Reserves

Section 29. Bird reserves

Svalbard has the following bird reserves:

- (a) Sørkapp Bird Reserve, which comprises Sørkappøya and the islands and skerries south-east of Øyrlandet;
- (b) Dunøyane Bird Reserve, which comprises all islands and skerries west of Dunøysundet;
- (c) Isøyane Bird Reserve, which comprises Nordre Isøya and Isøykalven;
- (d) Olsholmen Bird Reserve, which comprises the Olsholmen islands;
- (e) Kapp Linné Bird Reserve, which comprises the area west of a line from Randvika bay to the south-east corner of lake Fyrstesjøen, with the exception of the area occupied by Isfjord Radio;
- (f) (f) Boheman Bird Reserve, which comprises the islets south of Bohemanflya;
- (g) Gåsøyane Bird Reserve, which comprises the Gåsøyane islands;
- (h) Plankeholmane Bird Reserve, which comprises the Plankeholmane islets;
- (i) Forlandsøyane Bird Reserve, which comprises the Forlandsøyane islands;
- (j) Hermansenøya Bird Reserve, which comprises the island Hermansenøya;
- (k) Kongsfjorden Bird Reserve, which comprises the islands Mietheholmen, Prins Heinrichøya, Lovenøyane and Eskjeret;
- (1) Blomstrandhamna Bird Reserve, which comprises the outer and inner Breøyane islands;
- (m Guissezholmen Bird Reserve, which comprises the islets off Kapp Guissez;
- (n) Skorpa Bird Reserve, which comprises the islets off Harpunodden;
- (o) Moseøya Bird Reserve, which comprises the island Moseøya;
- (p) Liefdefjorden Bird Reserve which comprises Andøyane, Stasjonsøyane, Måkeøyane and Lernerøyane and adjacent islets.

The bird reserves, as shown in Appendix 1, comprise the marine area extending 300 meters from land or elevation at the lowest tide.

Section 30. Purpose

The purpose of protecting these areas is to safeguard important breeding areas and areas of habitat for birds, especially common eider and geese.

Section 31. Prohibition against all access and passage

All access and passage in the bird reserves, including at sea and landing of aircraft, is prohibited in the period 15 May to 15 August. The Governor of Svalbard may nevertheless adopt regulations relating to access and passage in Kapp Linné Bird Reserve.

Access and passage at sea by kayak and other non-motorised vessels is permitted along the closest passable route along the boundaries of Kongsfjorden Bird Reserve, at Prins Heinrichøya and Mietheholmen and in the Boheman Bird Reserve.

Section 31a. Prohibition against motor traffic

The use of off-road vehicles and landing of aircraft is prohibited. This prohibition also applies to overflight of the areas above at altitudes below 300 metres and out to one nautical mile from land. The prohibition against overflight applies to the extent weather conditions permit.

Within the Kapp Linné Bird Reserve, tracked vehicles may be driven on frozen and snow-covered ground until 15 May.

Section 31b. Access and passage

Any person accessing or staying in the bird reserves shall prevent the occurrence of new, permanent tracks or wear and tear to the terrain or cultural heritage. Rocks, logs and other items used at the site shall be cleared and returned to the location where they were found.

A sufficient distance shall be maintained in relation to:

- (a) fauna, in order to avoid unnecessary disturbance; and
- (b) protected cultural heritage that is not in use, to ensure that such sites are not exposed to trampling or other activities resulting in a risk of damage.

Section 31c. Passenger limitations on ships

Ships that call in the marine areas of the bird reserves may not have more than 200 passengers on board.

Section 32. Prohibition against pollution

Disposing or abandoning of waste is prohibited. Substances and objects that may harm the flora and fauna or which are unsightly shall not be dumped or abandoned.

It is prohibited to discharge sewage and greywater within 500 meters of land.

Section 33. Protection against interference

The areas above are protected against all forms of interference, including the construction of buildings and installations of all types, regardless of whether or not they are fixed to the ground, mining, oil exploration and

production, extraction of deposits, damming and other activities that involve physical disturbance of the landscape, terrain or disturbance of the natural environment.

The seabed is protected against fishing and other harvesting by diving, bottom trawling or dredging.

It is nevertheless permitted to establish terrestrial aids to navigation (beacons, lights, etc.). Such installations shall be designed, constructed, maintained and supervised in consultation with the Governor of Svalbard.

Section 33a. Prohibition against unmanned remote-controlled devices (drones) etc.

The use of unmanned vehicles (drones) and other remote-controlled or autonomous unmanned devices in the air, on the ground, on and beneath the surface of the water is prohibited.

Section 34. Protection of the fauna

Mammals and birds and their lairs and nests are protected against all types of damage and disturbance.

It is prohibited to introduce new species.

Section 35. Protection of the flora and fossils

Plants and fossils shall not be removed, and are protected against all types of damage or disturbance not caused by normal access or passage.

It is prohibited to introduce new species.

Section 36. Prohibition against prospecting for minerals and stones and regulation of mining rights

In protected areas, it is not permitted to prospect for minerals and stones covered by Section 2 of the Mining Code and no new mining rights will be awarded.

Section 37. Exemptions

The Governor of Svalbard may permit:

- (a) scientific studies, provided these will not be contrary to the purpose of the bird reserves;
- (b) other activities when special reasons so indicate and they will not be contrary to the purpose of the bird reserves;
 - (c) the use of unmanned vehicles (drones) and devices as mentioned in Section 33a for purposes other than recreational and hobby activities.

Chapter 4 Management, penalties and other general provisions for the protected areas

Section 38. Regulation of access and passage

The Norwegian Environment Agency may by regulation, regulate and prohibit access and passage in specific, limited areas of land and sea in the nature reserves if this is deemed necessary to avoid disturbance of

the fauna, wear to vegetation or cultural heritage, or to maintain the area's value as a reference area for research. Through passage in Hinlopenstredet, Heleysundet and Freemansundet cannot be regulated.

Section 39. Supervision and emergency response by the fire, police and rescue services etc.

This prohibition does not preclude:

- *a)* emergency response by the fire, police and rescue services and supervision in accordance with Section 77 and Section 87 of the Svalbard Environmental Protection Act;
- b) the use of unmanned vehicles (drones) and devices as mentioned in Section 6a, 22 and 33a, for the same purposes as mentioned in the previous sub-item and for the tasks of the management authority.

Section 40. Penalties

Contraventions of provisions and decisions issued in or pursuant to these Regulations are punishable pursuant to the rules in Section 99 of the Svalbard Environmental Protection Act.

An accomplice is liable to the same penalties.

Section 41. Entry into force

These Regulations enter into force on 1 May 2014. From the same date the Regulations of 1 June 1973 No. 3780 relating to large nature conservation areas and bird reserves in Svalbard and the Regulations of 1 July 1985 No. 1423 relating to the prohibition against access and passage on Kong Karls land are repealed.