



Regulations relating to the protection of the Moffen Nature Reserve in Svalbard

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Legal basis: Adopted by Royal Decree on 3 June 1983 pursuant to the Act of 17 July 1925 no. 11 relating to Svalbard, Section 4 and the Act of 15 June 2001 no. 79 relating to the protection of the environment in Svalbard (Svalbard Environmental Protection Act). Proposed by the Ministry of Environment.

Amended by the Regulations of 15 May 1992 no. 333, 28 June 2002 no. 652, 3 December 2021 no. 3395.

Amended by the Regulations of 9 February 2024 no. 230 (entry into force on 1 January 2025).

I

In accordance with the Act relating to Svalbard of 17 July 1925 no. 11, Section 4, from 1 July 2002 in accordance with the Act relating to the protection of the environment in Svalbard of 15 June 2001 no. 79, Section 12, Section 17, Section 21, Section 22 and Section 99, cf. Section 102, the island of Moffen in Svalbard is protected as a nature reserve by the Royal Decree of 3 June 1983 under the name Moffen Nature Reserve.

II

The protected area comprises the island and waters to a distance of 300 metres from land or skerry at the lowest water level.

III

The purpose of protecting the areas is to safeguard the most important haul-out areas for walrus in Svalbard, as well as related plant communities, birds and mammals.

IV

The following provisions apply to the reserve:

1. All forms of development, including the construction of buildings and installations of all types, mining, oil exploration and production, extraction of deposits and other activities that involve physical disturbance of the terrain or disturbance of the natural environment are prohibited.
2. The seabed is protected against fishing and other harvesting by diving, bottom trawling or dredging.
3. Disposing of waste is prohibited. Substances and objects that may harm the flora and fauna or which are unsightly must not be dumped or abandoned.
4. Mammals and birds and their lairs and nests are protected against all types of damage or unnecessary disturbance.

Hunting and trapping are prohibited. The introduction of new animal species is prohibited.
5. Plants, fossils and skeletal remains (including teeth) must not be removed, and are protected against all forms of damage and destruction. The introduction of new plant species is prohibited.
6. Any person accessing or staying in the protected area 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. Sufficient distance shall be maintained in relation to:
 - fauna, in order to avoid unnecessary disturbance; and
 - 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.
7. All access and passage, including access and passage at sea and flights at altitudes below 500 metres is not permitted during the period 15 May to 15 September.
8. The use of unmanned aerial 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.

V

The provisions in Section IV do not preclude:

1. measures carried out for ambulance, rescue, police and inspection purposes.
2. construction, supervision, maintenance and operation of terrestrial aids to navigation (lights, marks, etc.) in consultation with the Governor of Svalbard.
3. The use of unmanned aerial vehicles (drones) and devices as mentioned in Chapter IV (8) in connection with the tasks of the management authority.

VI

The Governor of Svalbard may grant exceptions from the protection provisions when required by the purpose of the protection, as well as for scientific investigations, works of substantial societal importance and in other circumstances, provided such activities will not be contrary to the purpose of the protection.

VII

Any person who wilfully or negligently contravenes provisions laid down in or under these Regulations is liable to fines or a term of imprisonment not exceeding one year. If a risk of substantial environmental damage has occurred or been caused or if there are especially aggravating circumstances, a term of imprisonment not exceeding three years may be imposed. An accomplice is liable to the same penalties.

VIII

The management of the protection provisions is assigned to the Governor of Svalbard.

IX

These provisions enter into force immediately.