

# Marine Scientific Research Clearance Requests



Foreign &  
Commonwealth  
Office

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**RRS James Cook**

## **Marine Scientific Research (MSR) Clearance Requests**

Marine Scientific Research (MSR) is essential to improving our understanding of the oceans across the globe. This is essential to science for a number of reasons, but perhaps most prominently in understanding the impact of human behaviour on the marine environment. It is therefore welcome that the United Nations Convention on the Law of the Sea 1982 (UNCLOS) established a global regime for facilitating such research in waters over which States have sovereignty. This benefits the UK by both allowing research by British scientists or scientific institutions in the waters of other countries, and by regulating research in our own waters.

Part XIII (Articles 238-265) of UNCLOS sets out that every State has the right to conduct marine scientific research, but that right is subject to the rights and duties of the coastal State in whose jurisdiction the research is being conducted. While coastal States have the right to regulate, authorise and conduct marine scientific research in their territorial sea, exclusive economic zone and on their continental shelf, UNCLOS provides that in normal circumstances, a coastal State shall grant its consent to MSR being carried out in accordance with the Convention. However, those conducting MSR must, in accordance with UNCLOS, comply with the regulations adopted by the coastal State, including those for the preservation and protection of the marine environment.

Under UNCLOS all States proposing to conduct MSR should make an application at least six months in advance of the expected starting date of research activities with a full description of the proposed research project to the relevant coastal State.

All MSR applications should be sent via the Maritime Policy Unit (MPU) of the Foreign and Commonwealth Office (address in the “Contact Us” section).

## Procedure for requesting and granting an MSR application

### Applications made to the UK

An application to conduct MSR should be made using the generic template which can be found at Annex A (which is also available to [download from GOV.UK](#)). While this template may not cover all the requirements necessary for the particular type of science, we would encourage you to use this form, as it constitutes a useful standard and starting point. Applicants intending to conduct MSR within UK's marine area should be aware of the Marine and Coastal Access Act 2009 and Marine (Scotland) Act 2010. Relevant guidance can be found at Annex B.

For applicants who wish to conduct MSR in the UK including the UK Overseas Territories, forms must be submitted through their relevant embassy or Ministry of Foreign Affairs.

If the proposed MSR activities fall within the boundaries of a designated marine protected area or special area of conservation (more information for marine protected areas can be found via the [Joint Nature Conservation Committee website](#)) the applicant may be required to provide an environmental impact assessment. It is the responsibility of the applicant to determine whether they will be conducting MSR in a special area of conservation or marine protected sites and familiarise themselves with the relevant guidance which can be found on the [Joint Nature Conservation Committee's website](#).

### ***Important Information to consider before making an MSR application***

- To determine whether the proposed research falls within UK maritime zones, see the [UK Maritime Limits and Boundaries](#), created by the United Kingdom Hydrographic Office;
- It is the responsibility of the applicant to adhere to all applicable UK and EU marine environment protection law. This includes an assessment in relation to activities that may injure or disturb a European Protected Species and as such may require a licence and/or mitigation measures. The relevant information on such requirements can be found for English and Welsh territorial waters and the UK offshore marine area in the draft European Protected Species guidance available from the Joint Nature Conservation Committee (JNCC), available upon request from the following email address [seismic@jncc.gov.uk](mailto:seismic@jncc.gov.uk); for Scottish territorial waters via [Marine Scotland](#); and for Northern Ireland territorial waters further information is available via email at [MarineDivision.InfoRequests@doeni.gov.uk](mailto:MarineDivision.InfoRequests@doeni.gov.uk);
- Applicants should be aware that under the Marine and Coastal Act 2009 and Marine (Scotland) Act 2010, certain activities require a marine licence from the regulatory authorities. It is the responsibility of the applicant to obtain a valid licence where applicable, in advance. Further information can be found at Annex B and at:
  - [Marine Licensing Process for England](#)
  - [The Scottish Government: Marine Licensing](#)
  - [Northern Ireland Environment Agency: Marine Licensing](#);
- The UK has designated a network of marine protected areas which may restrict the type of MSR activities possible in these areas. Applicants should check the status of these sites in relation to their proposed activities. This information can be found via
  - [The Scottish Government: Marine Protected Areas](#),
  - Email to [MarineDivision.InfoRequests@doeni.gov.uk](mailto:MarineDivision.InfoRequests@doeni.gov.uk) (Northern Ireland),

- [Protected or designated areas for England](#)
- [England and Wales Marine Conservation Byelaws](#);
- Wildlife licences or mitigation measures may be required for activities which could harm or disturb a protected species. This information can be found via:
  - Email to [MarineDivision.InfoRequests@doeni.gov.uk](mailto:MarineDivision.InfoRequests@doeni.gov.uk) (Northern Ireland);
  - [Marine Scotland: Wildlife and Habitats](#);
  - [Understanding Marine Licensing in England](#); and
  - [Natural Resources Wales: Information on Protected UK Species Licensing](#) (Wales).
- For cruises which take place within the 0-6 nm limit, the local IFCA (inshore fisheries and conservation authority) should be contacted to ensure you are aware of any byelaws or permitting requirement that you may have to comply with. More information on IFCAs in England can be found at the [Association of Inshore Fisheries and Conservation Authorities website](#) and for Scotland at the [Scottish Inshore Fisheries Groups website](#).

## **Applications made from the UK**

Applications received are initially assessed by the MPU, who will notify the relevant coastal State via official diplomatic channels. The Foreign and Commonwealth Office will then act as interlocutor on your behalf in gaining the consent or otherwise from the respective government departments, agencies and related entities of the coastal State. The MPU will advise the applicant of any further requirements related to the application requested by the relevant coastal State.

It may be necessary to provide a translated application form, in the language relevant to the coastal State.

In the case of MSR applications to conduct research in multiple States, a separate application form must be submitted for each State's jurisdiction you are wishing to enter.

There is no standard application process for research vessels making port calls where there is no intended science involved. These applications are dealt with on a case-by-case basis depending on the coastal State requirements i.e. a port call to Spain would require 10 days notice.

### ***Additional Information***

- MPU will make every effort to obtain a response from the foreign authorities prior to the start of the research;
- Applicants should NOT contact any foreign ministry or foreign embassy during the application process, unless consent is expressly granted by MPU to do so;
- Applicants should not depict any maritime or land boundaries or claims in their rendering of the research area, tracklines and stations; and
- Applicants should contact MPU if there is question as to whether the proposed research falls within one or more maritime boundary or claim.

## **Rights and obligations after the completion of the research**

Following completion of the research, the researching State has a number of obligations, as described in UNCLOS article 249, including but not limited to:

- Providing the coastal State, at its request, with the preliminary reports and final results and conclusions;
- Providing access for the coastal State, at its request, to all data and samples derived from the project and with data and samples which may be divided without detriment to their scientific value;
- If requested, providing the coastal State with an assessment of the data, samples and research results or providing assistance in their assessment and interpretation;
- Removing the scientific research installations or equipment after the research is completed, unless otherwise agreed.

NB: although some of these obligations suggest they are only a “request”, it is always the case that the request is either stipulated in the formal consent for the research, or it is implied.



Foreign &  
Commonwealth  
Office



## Maritime Policy Unit

### Contact us

Foreign & Commonwealth Office  
Legal Directorate  
Maritime Policy Unit  
King Charles Street London  
SW1A 2AH

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Facsimile: +44 (0)2 07008 2767

# ANNEX A

## Application for Consent to conduct Marine Scientific Research

Date: \_\_\_\_\_

### 1. General Information

1.1 Cruise name and/or number:

1.2 Sponsoring Institution(s):	
Name:	
Address:	
Name of Director:	

1.3 Scientist in charge of the Project:	
Name:	
Country:	
Affiliation:	
Address:	
Telephone:	
Fax:	
Email:	
Website (for CV and photo):	

1.4 Entity(ies)/Participant(s) from coastal State involved in the planning of the project:	
Name:	
Affiliation:	
Address:	

Telephone:	
Fax:	
Email:	
Website (for CV and photo):	

## 2. Description of Project

2.1 Nature and objectives of the project:

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2.2 If designated as part of a larger scale project, then provide the name of the project and the Organisation responsible for coordinating the project:

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2.3 Relevant previous or future research projects:

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2.4 Previous publications relating to the project:

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## 3. Geographical Areas

3.1 Indicate geographical areas in which the project is to be conducted (with reference in Latitude and longitude in degrees, including coordinates of cruise/track/way points/sampling stations). Please provide coordinates in a table format using a separate excel spreadsheet.

3.2 Attach chart(s) at an appropriate scale (1 page, high-resolution) showing the geographical Areas of the intended work and, as far as practicable, the location and depth of sampling Stations, the tracks of survey lines, and the locations of installations and equipment.

#### 4. Methods and means to be used

4.1 Particulars of vessel:

Name:	
Type/Class:	
Nationality (Flag State):	
Identification Number (IMO/Lloyds No.):	
Owner:	
Operator:	
Overall length (meters):	
Maximum draught:	
Displacement/Gross Tonnage:	
Propulsion:	
Cruising & maximum speed:	
Call sign:	
INMARSAT number and method and capability of communication (including emergency frequencies):	

Name of Master:	
Number of Crew:	
Number of Scientists on board:	

4.2 Particulars of Aircraft:	
Name:	
Make/Model:	
Nationality (flag State):	
Website for diagram & Specifications:	
Owner:	
Operator:	
Overall Length (meters):	
Propulsion:	
Cruising & Maximum speed:	
Registration No.:	
Call Sign:	
Method and capability of communication (including emergency frequencies):	
Name of Pilot:	
Number of crew:	
Number of scientists on board:	
Details of sensor packages:	
Other relevant information:	

4.3 Particulars of Autonomous Underwater Vehicle (AUV):	
Name:	
Manufacturer and make/model:	

Nationality (Flag State):	
Website for diagram & Specifications:	
Owner:	
Operator:	
Overall length (meters):	
Displacement/Gross tonnage:	
Cruising & Maximum speed:	
Range/Endurance:	
Method and capability of communication (including emergency frequencies):	
Details of sensor packages:	
Other relevant information:	

4.4 other craft in the project, including its use:

4.5 Particulars of methods, full description of scientific instruments to be used(for fishing gear specify type and dimension and for geophysical survey the type of equipment, source levels, frequency and duty cycle to be used) and location			
Types of samples and Measurements:	Methods to be used:	Instruments to be used:	To be carried out within 12nm (yes or no):

4.6 Indicate nature and quantity of any substances to be released into the marine environment:

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4.7 Indicate whether drilling will be carried out. If yes, please specify:

4.8 Indicate whether explosives will be used. If yes, please specify type and trade name, Chemical content, depth of trade class and stowage, size, depth of detonation, frequency of Detonation, and position in latitude and longitude:

**5. Installations and Equipment**

Details of installations and equipment (including dates of laying, servicing, method and Anticipated timeframe for recover, as far as possible exact locations and depth, and Measurements):

**6. Dates**

6.1 Expected dates of first entry into and final departure from the research area by the research vessel and/or other platforms:
6.2 Indicate if multiple entries are expected:

**7. Port Calls**

7.1 Dates and Names of intended ports of call:

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7.2 Any special logistical requirements at ports of call:

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7.3 Name/Address/Telephone of shipping agent (if available):

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**8. Participation of the representative of the coastal State**

8.1 Modalities of the participation of the representative of the coastal State in the research Project:

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8.2 Proposed dates and ports for embarkation/disembarkation:

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**9. Access to Data, Samples and Research Results**

9.1 Expected dates of submission to coastal State of preliminary report, which should include:

The expected dates of submission of the data and research results:

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9.2 Anticipated dates of submission to the coastal State of the final report:

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9.3 Proposed means for access by coastal State to data (including format) and samples:

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9.4 Proposed means to provide coastal State with assessment of data, samples and Research results:

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9.5 Proposed means to provide assistance in assessment or interpretation of data, samples And research results:

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9.6 Proposed means of making results internationally available:

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**10. Other permits Submitted**

10.1 Indicate other types of coastal state permits anticipated for this research (received or Pending):

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**11. List of Supporting Documentation**

11.1 List of attachments, such as additional forms required by the coastal State, etc.:

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Signature:

Contact information of the focal point:

Name:

Country:

Affiliation:

Address:

Telephone:

Fax:

Email:

## ANNEX B

### Marine and Coastal Access Act 2009

### Marine (Scotland) Act 2010

#### Guidance

Applicants who intend to undertake marine scientific research, within the United Kingdom's marine area, should be aware of the requirements of these two pieces of legislation, which apply respectively in England & Wales and Northern Ireland, and in Scotland. They are designed, to give effect to EU Directives and other international agreements on the environment.

Under this legislation, certain activities require a marine licence from the regulatory authorities. Licensable activities include deposits (e.g. disposal of dredged material), removals (e.g. extraction of sand and gravel), dredging (e.g. navigational dredging of ports and berths), construction (e.g. harbour works) and incineration (regulated under international law). In the context of scientific research, licensable activities may include deposit of chemicals into the sea or activities impacting on the seabed (such as removal of matter, or the deposit of instruments (such as wave buoys)). There are various exemptions for minor activities, such as taking samples for testing and analysis, that pose little risk to the environment or other users, but these are often subject to strict conditions. You must notify the relevant regulatory authority of any sediment samples being obtained for analysis. To discuss sampling and sediment analysis or any other marine licensing matter please email the relevant regulatory authority. There are some small differences between the marine licensing systems operated by the respective regional regulators.

Therefore it is important that applicants should satisfy themselves, through contact with the relevant regulatory authority, and in advance of the commencement of their research, whether they need to obtain a marine licence.

Applicants should also be aware that applications for marine licences incur a fee, which differs depending on the type of project it relates to, and also that non-compliance with the requirement to obtain a marine licence (or a condition attached to it) where required, is a criminal offence.

The regulatory authority for England is the Marine Management Organisation and information in respect of the marine licensing process is available on their [website](#).

The regulatory authority for Scotland is [Marine Scotland](#).

The regulatory authority For Northern Ireland is the Department of Environment Marine Division and information in respect of the marine licensing process can be found on their [website](#).

The regulatory authority for Wales is [Natural Resources Wales](#).

The applicants are encouraged to engage with the relevant regulatory authority at an early stage.