

Collection, Export and Experimental Policies (CEEP) [contact bruce.williams@bios.edu]

BIOS is committed to preserving Bermuda's natural environment. In consultation with the Bermuda Government, BIOS has established detailed protocols for the collection, export and experimental manipulation of materials (plants, animals, geological). All materials collected must first be approved by the BIOS CEEP Committee (unless covered by the Limited Impact Research policy) and then the Bermuda Government (unless covered by the Limited Impact Research policy). All materials need a Government permit for export. For information, please go to <http://www.bios.edu/visiting-bios/visiting-scientist-forms> under "Collecting and/or Exporting Samples".

Conducting Research In Bermuda At The Bermuda Institute Of Ocean Sciences

All research activity needs a permit for both sampling and export of samples. Many legal documents regarding these questions can be found at <https://environment.bm/legislation-and-policy>.

Marine samples (coastal and oceanic)

Exporting of marine samples is covered by the Fisheries Act 1972 (excerpts below) and the need for a sampling permit is regulated by the Fisheries regulations 2010 (excerpt below). The permit allows for taking of marine samples for purposes other than for use as bait or human or animal consumption. Special attention should be paid when sampling in protected areas and locations, as well as when working with protected species.

From the Fisheries Act 1972 (excerpts)

"fish" means fish of any kind found in the sea and includes turtles, crabs, crayfish, lobsters, shellfish, shells, corals, sea fans, and marine organisms of all descriptions, whether alive or dead;

License required to import or export certain fish (6)

- 1) No person shall import or export any fish to which this section applies into or from Bermuda otherwise than under the authority of, and in accordance with the terms and conditions of, a license granted in that behalf to that person for the purpose.
- 2) The fish to which this section applies are—
 - in relation to importation, any fish, living or dead, specified in an Order made under section 5(1)(a), other than living fish of such species as the Minister may exempt by notice published in the Gazette;
 - in relation to exportation, any fish, whether living or dead, other than fish retained as a trophy or souvenir.
- 3) Any person who imports or exports any fish in contravention of this section or of any term or condition attached to a license thereunder commits an offence:
Punishment on summary conviction: subject to section 14, imprisonment for two years or a fine of \$50,000 or both such imprisonment and fine, and any fish so taken and any vessel, instrument and equipment used in such taking shall be liable to forfeiture.
- 4) Any fish taken in the waters adjacent to Bermuda and landed in Bermuda shall not for the purposes of this section be deemed to be imported into Bermuda.

From the Fisheries regulations (excerpt)

General restrictions on taking fish (15)

Any person who takes, sells or purchases any fish for purposes other than for use as bait or human or animal consumption, commits an offence.

Nothing in paragraph (1) shall prevent the taking of fish for sport or for the purposes of any private aquarium or personal shell collection or the retention of fish as a trophy.

As a consequence, all samples that contain live or dead marine organisms need a permit for both sampling and export, no matter the objective of the sampling. Since any water contains organisms (alive or dead), all samples require a sampling permit and (if required) export permit.

Terrestrial sampling (including caves)

Terrestrial sampling is subject to the same requirements (sampling and export permit). These regulations apply to both biological and non-biological (e.g., geological) sampling of all kinds. Special attention should be paid when sampling in protected areas or biomes (e.g., caves), or when sampling for protected species. For permits involving protected environments, please submit your application more than four weeks in advance of your planned sampling activities, as it may take longer to obtain the permit.

Permits can take up to four weeks to be processed and further information may be requested before approval.

A final report to Government is requested within three years. No additional permits will be issued or re-issued if there is failure to do so.

Similar to most countries, the Bermuda Government considers these resources to be the property of the people of Bermuda, such that collected materials, or their derivatives, may not be used for any commercial interest without the explicit sanction of the Government of Bermuda's Department of Environment and Natural Resources and the Minister responsible. In other words, Bermuda will have the right to request part of the royalties if produced as a consequence of research carried out in Bermuda (including Bermuda EEZ).

The form to complete is available from <https://environment.bm/permits-and-licences> . The BIOS CEEP offers review and handling of your permit. Please send completed documents to Bruce.Williams@bios.edu. **Although any researcher is free to apply directly to Government, making application through BIOS is the preferred option. However, applications should be submitted directly to Government when protected species or areas are involved.** If the visitor requested the permit directly from Government, please forward the permit to Bruce Williams (Bruce.Williams@bios.edu) and to the CEEP committee Chair (leocadio@bios.edu) before or upon arrival and prior to sampling.