

CHAPTER 7

MARITIME ZONES

Law A LAW TO PROVIDE FOR THE DECLARATION OF THE TERRITORIAL SEA AND OTHER
 No. 22 of 1976. MARITIME ZONES OF SRI LANKA, AND ALL OTHER MATTERS CONNECTED
 THEREWITH OR INCIDENTAL THERETO. [1st September. 1976.]

Short Title. **1.** This Law may be cited as the Maritime Zones Law. (2) No foreign aircraft shall enter or pass through the air space above the territorial sea, except in accordance with the written laws in force in Sri Lanka :

Territorial sea. **2.** (1) The President of the Republic of Sri Lanka may, by Proclamation published in the Gazette, declare the limits of the sea beyond the land territory and internal waters of Sri Lanka which shall be the territorial sea of Sri Lanka, specifying in such Proclamation the base-lines from which such limits shall be measured. The waters on the landward side of such base-lines shall form part of the internal waters of Sri Lanka.

(2) Where an island or rock, or a group of islands and rocks, or a group of islands or a group of rocks, constituting part of the territory of Sri Lanka is situated seaward from the main coast or base-line, the territorial sea shall extend to the limits declared by the Proclamation under subsection (1) measured from the low-water mark of ordinary spring tides along the seaward edge of such island or rock, or group of islands and rocks, or group of islands or group of rocks.

(3) The sovereignty of the Republic extends to the territorial sea and to the air space over the territorial sea as well as to its bed and sub-soil.

(4) The Minister may, by Order published in the Gazette, suspend, in a specified area or areas of the territorial sea the right of innocent passage of any ship, if, in his opinion, such suspension is necessary in order to safeguard the peace, good order or security of the Republic.

Use of territorial sea by foreign ships and aircraft. **3.** (1) Ships of all States shall enjoy the right of innocent passage through the territorial sea. Passage is innocent only so long as such passage is not prejudicial to the peace, good order or security of the Republic:

(2) Where there is a reasonable apprehension of the contravention of any written laws of Sri Lanka in relation to-

(a) the security of the Republic ;
 (b) immigration, health and sanitation ; or
 (c) customs and other revenue matters,

the relevant Minister shall take such measures as may be necessary in respect of the contiguous zone in order to secure the enforcement of, or to prevent the contravention of, such laws.

Contiguous zone.

(4) The Minister may, by Proclamation published in the Gazette, declare the limits of a zone contiguous to the territorial sea and extending seawards from the outer limits of the territorial sea which shall be the contiguous zone of Sri Lanka.

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(a) the security of the Republic ;
 (b) immigration, health and sanitation ; or
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the relevant Minister shall take such measures as may be necessary in respect of the contiguous zone in order to secure the enforcement of, or to prevent the contravention of, such laws.

5. (1) The President may, by Exclusive Proclamation published in the Gazette, declare any zone of the sea adjacent to the territorial sea, as well as the sea-bed and

sub-soil thereof, to be the exclusive economic zone of Sri Lanka. The limits of such zone shall be specified in the Proclamation.

(2) All the natural resources, both living and non-living, within the exclusive economic zone, on and under the sea-bed and in the sub-soil and on the water surface and within the water column shall vest in the Republic.

(3) In the exclusive economic zone the Republic has -

- (a) sovereign rights for the purpose of exploration, exploitation, conservation and management of the natural resources, both living and non-living, as well as for the production of energy from tides, winds and currents, and for other economic uses;
- (h) exclusive rights and jurisdiction to authorize, regulate and control scientific research;
- (c) exclusive rights and jurisdiction for the construction, maintenance or operation of artificial islands, off-shore terminals, installations and other structures and devices necessary for the exploration and exploitation of the resources of the zone, for the convenience of shipping or for any other purpose ; and
- (d) other rights recognized by international law.

6. (1) the continental shelf of Sri Lanka shall comprise-

- (a) the sea-bed and sub-soil of the submarine areas that extend beyond the territorial sea of Sri Lanka throughout the natural prolongation of the land territory of Sri Lanka to the outer edge of the continental margin or to a distance of two hundred nautical miles from the base-line from which the territorial sea is measured where the outer edge of the continental margin does not extend up to that distance ; and
- (b) the sea-bed and sub-soil of the analogous submarine areas adjacent to the coast of any island or rock, or group of islands and rocks, or group of islands or group of rocks, constituting part of the territory of Sri Lanka.

(2) All the natural resources, both living and non-living, on and under the sea-bed and in the sub-soil of the continental shelf shall vest in the Republic.

(3) In respect of the continental shelf the Republic has-

- (a) sovereign rights for the purpose of exploration, exploitation, conservation and management of the natural resources, both living and non-living;
- (b) exclusive rights and jurisdiction to authorize, regulate and control scientific research;
- (c) exclusive rights and jurisdiction for the construction, maintenance or operation of artificial islands, off-shore terminals, installations and other structures and devices necessary for the exploration and exploitation of the resources of the continental shelf, for the convenu,iii-c of shipping or for any other purpose; and
- (d) other rights recogized by international law.

7. (1) The President may, by Proclamation published in the Gazette, declare any zone of the sea adjacent to the territorial sea, and of the sea-bed and sub-soil thereof, to be the pollution prevention zone of Sri Lanka. The limits of such zone shall be specified in the Proclamation.

Pollution prevention zone.

(2) The relevant Minister, shall take such steps as may be necessary to control and prevent the pollution of, and to preserve the ecological balance within, such zone.

8. Notwithstanding the provisions of this Law or any other written law-

- (a) the boundary between Sri Lanka and India in the waters from Palk Strait to Adam's Bridge shall be the arcs of Great Circles between the following positions in the sequence given hereunder defined by latitude and longitude :

Maritime boundary between Sri Lanka and India.

- Position 1 : 10° 05'North, 80° 03'East
- Position 2 : 09° 57' North, 79°-35' East
- Position 3 : 09° 40.15' North, 79° 22.60' East
- Position 4 : 09° 21.80' North. 79° 30.70' East
- Position 5 : 09° 13'North, 79° 32' East
- Position 6: 09° W North. 79° 32' Ea>l:

Continental shelf.

(b) the boundary between Sri Lanka and India in the Gulf of Mannar shall be the arcs of Great Circles between the following positions in the sequence given hereunder defined by latitude and longitude :

- Position 1m: 09° 06.0' North, 79° 32.0' East
- Position 2m: 09° 00.0' North, 79° 31.3' East
- Position 3m: 08° 53.8' North, 79° 29.3' East
- Position 4m: 08° 40.0' North, 79° 18.2' East
- Position 5m: 08° 22.2' North, 79° 13.0' East
- Position 6m: 08° 31.2' North, 79° 04.7' East
- Position 7m: 08° 22.2' North, 78° 55.4' East
- Position 8m: 08° 12.2' North, 78° 53.7' East
- Position 9m: 07° 35.3' North, 78° 45.7' East
- Position 10m: 07° 21.0' North, 78° 38.8' East
- Position 11m: 06° 30.8' North, 78° 12.2' East
- Position 12m: 05° 53.9' North, 77° 50.7' East
- Position 13m: 05° 00.0' North, 77° 10.6' East;

(c) the boundary between Sri Lanka and India in the Bay of Bengal shall be the arcs of Great Circles between the following positions in the sequence given hereunder defined by latitude and longitude :

- Position 1b: 10° 05.0' North, 80° 03.0' East
- Position 1ba: 10° 05.8' North, 80° 05.0' East
- Position 1bb: 10° 08.4' North, 80° 05.5' East
- Position 2b: 10° 33.0' North, 80° 46.0' East
- Position 3b: 10° 41.7' North, 81° 02.5' East
- Position 4b: 11° 02.7' North, 81° 56.0' East
- Position 5b: 11° 16.0' North, 82° 24.4' East
- Position 6b: 11° 26.6' North, 83° 22.0' East

9. (1) The President may be Proclamation published in the Gazette, declare the limits of the historic waters of Sri Lanka. Historic waters.

(2) The Republic of Sri Lanka shall exercise sovereignty, exclusive jurisdiction and control in and over the historic waters, as well as in and over the islands and the continental shelf and the sea-bed and sub-soil thereof within such historic waters.

10. As soon as may be convenient after the coming into operation of this Law, and thereafter whenever necessary, the Minister may require the Surveyor-General to publish or cause to be published a map indicating the low-water mark of ordinary spring tides, the base-lines for measurement of the territorial sea, and the outer limits of the territorial sea and other maritime zones and jurisdiction of Sri Lanka declared in accordance with the provisions of this Law. Publication of map.

11. Notwithstanding anything to the contrary in any other written law, every reference in any written law to the expressions " territorial waters ", " territorial sea ", " coastal waters ", " contiguous zone ", " exclusive economic zone ", " continental shelf ", or " pollution prevention zone " shall be read and construed subject to and in accordance with the provisions of this Law. Amendment of other written laws.

12. In order to give effect to the principles and provisions of this Law, all written laws in force in Sri Lanka shall be read and construed as though the applicability of such laws, wherever relevant, extends to the limits of the contiguous zone, the exclusive economic zone, the continental shelf, or the pollution prevention zone, as the case may be. Construction of other laws.

13. (1) The Minister may make regulations for the purpose of giving effect to the provisions of this Law. Regulations.

(2) Every regulation made by the Minister shall be published in the Gazette and shall come into operation on the date of such publication or upon such later date as may be specified in the regulation.

(3) Every regulation made by the Minister shall, as soon as convenient after its publication in the Gazette, be brought before Parliament for approval. Every regulation

which is not so approved shall be deemed to be rescinded as from the date of such disapproval, but without prejudice to anything previously done thereunder.

Minister's Certificate.

14. In any proceedings before any court in Sri Lanka, if a question arises as to whether any act or omission has been done or omitted to be done within or without the territorial sea of Sri Lanka, or in any other zone or jurisdiction declared under this Law, a certificate of the Minister signed by him shall be *prima facie* proof of the place where such act or omission was done or omitted to be done.

Interpretation.

15. In this Law, unless the context otherwise requires-

"foreign aircraft" shall have the same meaning as in the Air Navigation Act;

"military aircraft " means an aircraft which by reason of the equipment contained therein, could be used for any warlike purpose;

ship " means any description of ship or vessel or boat, or any other description of vessel used in navigation on or below the waters and not exclusively propelled by oars, paddles or poles, and includes all equipment, apparel and appurtenances (excluding supplies for maintenance) which are necessary for navigation and conduct of the business of the ship; and

"warship " means a ship which by reason of the equipment contained therein, could be used for any warlike purpose.