

**Territorial Sea, Contiguous Zone, Exclusive Economic and
Fishery Zones Act, 1981, Act No. 26 of 25 August 1981**

An Act to establish the limits of the territorial sea, the contiguous zone, the exclusive economic and fishery zones of the Commonwealth of Dominica.

Short title

1. This Act may be cited as the Territorial sea, contiguous zone, exclusive economic and fishery zones Act, 1981.

Interpretation

2. In this Act:

"baseline" means the line from which the breadth of the territorial sea is drawn as determined in accordance with the straight baseline system;

"contiguous zone" means that area of sea contiguous to the territorial sea over which the Commonwealth of Dominica may exercise sovereign rights necessary to prevent infringement of its customs, fiscal, immigration or sanitary regulations within its territory or territorial sea;

"exclusive economic zone" means an area beyond and adjacent to the territorial sea, over which the Commonwealth of Dominica may exercise sovereign rights, and jurisdiction subject to the provisions of international law;

"fishery zone" means the areas of superjacent waters which extend to a distance of two hundred nautical miles from the baseline from which the breadth of the territorial sea is drawn;

"innocent passage" means passage of a ship or aircraft which is not prejudicial to the peace, good order and security of the Commonwealth of Dominica;

"internal waters" means the areas of waters lying on the landward side of the baseline;

"passage" means navigation through the territorial sea and the airspace thereof for purposes provided in international law;

"territorial sea" means that area of sea over which the Commonwealth of Dominica exercises sovereignty.

Establishment of the territorial sea

3. The territorial sea of the Commonwealth of Dominica comprises those areas of sea having as their inner limits, the baseline as defined and as their outer limits, a line measured seaward from the baseline, every point of which line extends to a distance of twelve (12) nautical miles from the nearest point of the baseline.

Establishment of the contiguous zone

4. The contiguous zone to the territorial sea of the Commonwealth of Dominica comprises that area of sea which is contiguous to its territorial sea and shall extend twenty-four (24) miles from the baseline from which the breadth of

the territorial sea is measured.

Establishment of exclusive economic zone

5. The exclusive economic zone of the Commonwealth of Dominica comprises those areas of the sea, seabed and sub-soil that are beyond and adjacent to the territorial sea of the Commonwealth of Dominica, having as their outer limits a line measured seaward from the aforesaid baseline, every point of which line is distant two hundred nautical miles from the nearest point of the aforesaid baseline.

Establishment of fishery zone

6. The fishery zone of the Commonwealth of Dominica comprises that area of sea, that is beyond and adjacent to the territorial sea of the Commonwealth of Dominica and having as its seaward boundary a line so drawn that each point upon it is distant two hundred (200) nautical miles from the nearest point of the baseline from which the breadth of the territorial sea is measured.

Jurisdiction in territorial sea

7. In the territorial sea and internal waters the Commonwealth of Dominica shall exercise sovereignty and such sovereignty shall extend to the seabed and subsoil thereof and to the airspace over such sea.

Jurisdiction in exclusive economic zone

8. In the exclusive economic zone the Commonwealth of Dominica shall exercise:

- (a) sovereign rights for the purpose of exploration, exploitation, conservation and management of the natural resources, both living and non-living, of the seabed, sub-soil and superjacent waters and other sovereign rights with regard to producing energy from tides, winds and currents therein;
- (b) jurisdiction with regard to:
 - (i) the establishment and use of artificial islands, installations and structures;
 - (ii) marine scientific research; and
 - (iii) the protection and preservation of the marine environment;
- (c) other rights and duties provided for in international law.

Jurisdiction in fishery zone

9. In the fishery zone the Commonwealth of Dominica shall exercise the sovereign right and exclusive authority to explore and exploit, conserve and manage the fishery resources of the superjacent waters, the seabed and subsoil therein, in accordance with International Law.

Recognition of innocent passage

10. (1) The Commonwealth of Dominica recognizes the right of innocent passage of foreign ships and warships in the territorial sea and the overflight of aircraft in the airspace thereof subject to the principles and provisions of international law.

Acknowledgement of international activities in the exclusive economic zone

10. (2) The Commonwealth of Dominica shall recognize the freedoms of navigation and overflight of aircraft

and of the laying of submarine cables and pipelines and other related activities in the exclusive economic zone, in accordance with the principles and provisions of International Law.

Intention to negotiate maritime boundaries

11. Where the boundary lines of the territorial sea and of the exclusive economic zone of the Commonwealth of Dominica poses of delimitation with the territories and States adjacent or opposite, the Government of the Commonwealth of Dominica shall be ready, able and willing, at appropriate times, to enter into negotiations on equitable principles, with the States concerned with a view to reaching amicable agreements.

Future legislation

12. The Government of the Commonwealth of Dominica will pass further legislation in respect of the foregoing provisions and matters related thereto from time to time as it deems expedient.