

Act on the exploration and exploitation of non-living resources in the territorial sea and the continental shelf (formerly "Continental Shelf Act"), 13 June 1969

Article 1

The Kingdom of Belgium exercises sovereign rights on the continental shelf, as defined in article 2 below, for the purpose of exploring it and exploiting its natural resources.

For the purpose of this law:

- (a) "continental shelf" comprises the sea-bed and subsoil of the submarine areas adjacent to its coasts but beyond its territorial sea;
- (b) "natural resources" consist of the mineral and other non-living resources of the sea-bed and subsoil together with living organisms belonging to sedentary species, that is to say, organisms which, at the harvestable stage, either are immobile on or under the sea-bed or are unable to move except in constant physical contact with the sea-bed or the subsoil.

Article 2

The delimitation of the Belgian continental shelf with the United Kingdom's continental shelf is determined by the median line every point of which is equidistant from the nearest points of the baselines from which the breadth of the Belgian and United Kingdom territorial sea is measured. This delimitation may be regulated through a particular agreement with the interested party. The delimitation of the Belgian continental shelf and the countries whose coasts are adjacent to the Belgian coasts, i.e. France and the Netherlands, is determined by the equidistance principle from the nearest points of the baselines from which the breadth of the territorial sea of each of these countries is measured. This delimitation can be negotiated through a particular agreement with each of the interested parties.

Article 3

Prospecting and exploitation of the mineral and other non-living resources of the sea-bed and subsoil shall be subject to the granting of concessions awarded on the terms and according to the procedures established by the King.

Article 4

Save for collective or individual exceptions granted by the King, the exploration and exploitation of living organisms which, according to the definition in article 1(2)(b), belong to sedentary species, shall be reserved for Belgian nationals.

Article 5

Installations and other devices set up on the high seas and necessary for the exploration or exploitation of the natural resources of the continental shelf, as well as safety zones referred to in article 6, shall not unjustifiably obstruct either navigation, fishing or the conservation of the biological resources of the sea, or the use of regular maritime routes of essential importance for international navigation, or fundamental oceanographic research or any other scientific research carried out with the intention of publishing the results.

To this end, the King shall establish the measures to be taken and the manner of their implementation.

He shall also determine any obligation which he considers useful to this end, for instance with regard to signalling and ways of avoiding the pollution of sea waters and the deterioration of submarine cables and pipelines.

He shall order the procedure to be followed for the partial or total withdrawal of the licence or concession.

Article 6

A safety zone may be established according to the procedures determined by the King for each installation or device situated on the continental shelf.

This zone may extend a distance of 500 metres measured from each point of the outer edge of these installations or devices.

Article 7

Installations or other devices situated on the high seas, fixed permanently on the continental shelf and covered by this Act, as well as persons or property on these installations and devices, shall be subject to Belgian law.

Article 8

Any person committing an offence, punishable by Belgian law on an installation or other device referred to in the preceding article may be prosecuted in Belgium.

In the absence of other rules awarding jurisdiction, courts sitting in Brussels shall have jurisdiction.

Article 9

Acts or deeds which have legal effects other than penal and which occur on or in connection with an installation or other device referred to in article 7 shall be considered to have occurred in Belgium.

In the absence of other rules awarding jurisdiction, these acts or deeds shall be considered to have occurred in the territory of the second canton of justice of the peace of the judicial district of Brussels.