



[REDACTED]

11 October 2021

Dear [REDACTED],

**Freedom of Information request: FOI2021/00426**

Thank you for your Freedom of Information request received on the 15 September in which you requested the following:

**Your request:**

*I would like to make a request for information please.  
My name is [REDACTED] and I am [REDACTED].  
I am looking for some basic questions to be answered. I have included them below.  
I look forward to your response*

*Under the freedom of information act can you please tell me what the consequences are of the information you provide back being false?*

*Who funds the bas?*

*Who gives bas the rights to the scientific research they carry out in Antarctica, basically whom are you answerable to?*

*Under the freedom of information act can you tell me what the consequences of a person undertaking independent exploration to Antarctica without permission from their respective countries.  
I understand there is a treaty but as far as I am aware that is not a law on a common man.*

*Can you confirm the treaty is only for commercial activity and its not a criminal offence to travel there without permission.*

*Who holds the rights to tell a citizen from a country not signed up to the treaty they cannot go? Under whos law have they broken?*

*Under the freedom of information act can you tell me what is the furthest south latitude you have carried out scientific research.*

*According to my research the sun does not research beyond 80 degrees south latitude  
Under the freedom of information act can you provide proof of scientific research you have carried out that disputes that claim and the sun does in fact shine below 80 degrees latitude?*

**Our response**

I can confirm UK Research and Innovation (UKRI) hold information relevant to your request. Please see the information below.

Under Section 21 of the FOIA - Information already reasonably accessible, some of the information you have requested is already available in the public domain. In that regard we have provided the relevant links below. Section 21 is an absolute exemption which means that there is no requirement to conduct a public interest test.

**Under the freedom of information act can you please tell me what the consequences are of the information you provide back being false?**

The [section 45](#)<sup>1</sup> and [section 46](#)<sup>2</sup> Codes of Practice set out good practice that organisations should follow in fulfilling their obligations under the Freedom of Information Act. The [Information Commissioner's Office](#)<sup>3</sup> oversees these codes of practice. Further, section 77 of the [Freedom of Information Act](#)<sup>4</sup> states that it is a criminal offence to alter, block, destroy or conceal information. The penalty for which is a fine.

**Who funds the bas?**

The majority of the British Antarctic Survey's (BAS) annual budget comes from the Natural Environment Research Council (NERC). Other funding comes from the European Union and the Foreign, Commonwealth and Development Office. Further information, including BAS' annual accounts, is available on the [BAS](#)<sup>5</sup> website.

**Who gives bas the rights to the scientific research they carry out in Antarctica, basically whom are you answerable to?**

Any expedition, whether cruise ship, yacht or scientific activity, to the British Antarctic Territory, or any other part of Antarctica, must only be conducted with permission of a country who is a signatory to the Antarctic Treaty. The British Antarctic Territory is managed by the Polar Regions Department of the UK's Foreign, Commonwealth and Development Office (FCDO), who lead on the issuance of permits for all UK expeditions, UK flagged vessels and UK registered aircraft, which includes BAS' scientific and logistic activities.

More information about the British Antarctic Territory (BAT) and its governance, and links to information relating to the Antarctic Treaty, can be found on the Government of the [British Antarctic Territory](#)<sup>6</sup> website.

**Under the freedom of information act can you tell me what the consequences of a person undertaking independent exploration to Antarctica without permission from their respective countries.**

**Can you confirm the treaty is only for commercial activity and its not a criminal offence to travel there without permission.**

**Who holds the rights to tell a citizen from a country not signed up to the treaty they cannot go? Under whos law have they broken?**

With regard to the three questions above, the Government of the British Antarctic Territory website provides details on the requirements for visiting Antarctica, and more information regarding UK Antarctic enforcement policy and procedures is available [here](#)<sup>7</sup>.

The Antarctic Treaty's Protocol on Environmental Protection prohibits commercial mining but, as stated above, any expedition, whether cruise ship, yacht or scientific activity, to the British Antarctic Territory, or any other part of Antarctica, must only be conducted with permission of a country who is a signatory to the Antarctic Treaty. For further information on the questions above, please contact the Polar Regions Department of the FCDO; contact details below.

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<sup>1</sup> <https://ico.org.uk/for-organisations/foi-guidance/section-45-code-of-practice-request-handling/>

<sup>2</sup> <https://www.gov.uk/government/publications/code-of-practice-on-the-management-of-records-issued-under-section-46-the-freedom-of-information-act-2000>

<sup>3</sup> <https://ico.org.uk/for-organisations/guide-to-freedom-of-information/complaints/#9>

<sup>4</sup> <https://www.legislation.gov.uk/ukpga/2000/36/section/77?wrap=true>

<sup>5</sup> <https://www.bas.ac.uk/about/about-bas/our-organisation/>

<sup>6</sup> <https://britishantarcticterritory.org.uk/>

<sup>7</sup> <https://www.gov.uk/guidance/visits-to-antarctica-how-to-apply-for-a-permit>

Email: [polarregions@fcdo.gov.uk](mailto:polarregions@fcdo.gov.uk)  
Polar Regions Department  
Foreign, Commonwealth & Development Office  
Room W2.80  
King Charles Street  
London  
SW1A 2AH

**Under the freedom of information act can you tell me what is the furthest south latitude you have carried out scientific research.**

BAS has undertaken scientific research at the South Pole (90°S) but more usually operates at higher latitudes.

**According to my research the sun does not research beyond 80 degrees south latitude  
Under the freedom of information act can you provide proof of scientific research you have carried out that disputes that claim and the sun does in fact shine below 80 degrees latitude?**

BAS does not maintain any monitoring stations below 80°S. We would suggest contacting the United States Antarctic Program ([USAP](https://www.usap.gov/)<sup>8</sup>) to request meteorological data from the Amundsen-Scott South Pole Station, which they operate. Contact details are available at the link above. You may also be interested in this page, which shows the average number of sunshine hours at the [South Pole](https://www.dwd.de/EN/Service/Weather/Climate/South_Pole/South_Pole.html)<sup>9</sup>, compiled from data from the Deutscher Wetterdienst (German Meteorological Service).

If you have any queries regarding our response or you are unhappy with the outcome of your request and wish to seek an internal review of the decision, please contact:


Head of Information Governance  
Email: [foi@ukri.org](mailto:foi@ukri.org) or [infogovernance@ukri.org](mailto:infogovernance@ukri.org)

Please quote the reference number above in any future communications.

If you are still not content with the outcome of the internal review, you may apply to refer the matter to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the review procedure provided by UKRI. The Information Commissioner can be contacted at: <http://www.ico.gov.uk/>

If you wish to raise a complaint regarding the service you have received or the conduct of any UKRI staff in relation to your request, please see UKRI's complaints policy: <https://www.ukri.org/about-us/policies-and-standards/complaints-policy/>

Yours sincerely,

  
Information Governance  
Information Rights Team  
UK Research and Innovation  
[foi@ukri.org](mailto:foi@ukri.org) | [dataprotection@ukri.org](mailto:dataprotection@ukri.org)

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<sup>8</sup> <https://www.usap.gov/>

<sup>9</sup> [https://en.wikipedia.org/wiki/Amundsen%E2%80%93Scott\\_South\\_Pole\\_Station#Climate](https://en.wikipedia.org/wiki/Amundsen%E2%80%93Scott_South_Pole_Station#Climate)