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STATUTORY INSTRUMENTS

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**1995 No. 1625**

**Historic Monuments and Archaeological  
Objects (Northern Ireland) Order 1995**

**PART II**

**HISTORIC MONUMENTS**

*Application to special cases*

**Monuments in territorial waters**

**38.**—(1) A monument situated in, on or under the sea bed within the seaward limits of United Kingdom territorial waters adjacent to the coast of Northern Ireland (referred to in this Article as a monument in territorial waters) may be included in the Schedule under Article 3(1) and the remaining provisions of this Part shall apply accordingly to any such monument which is a scheduled monument (but, subject to paragraph (5), not otherwise).

(2) In relation to any monument in territorial waters which is under the ownership or guardianship of the Department, references in this Part to land associated with the monument (or to associated land) include references to any part of the sea bed occupied by the Department for any such purpose relating to the monument as is mentioned in Article 18(1).

(3) Without prejudice to any jurisdiction exercisable apart from this paragraph, proceedings for any offence under this Part committed in United Kingdom territorial waters adjacent to the coast of Northern Ireland may be taken, and the offence may for all incidental purposes be treated as having been committed, in any place in Northern Ireland.

(4) It is hereby declared that, notwithstanding that by virtue of this Article this Part may affect individuals or bodies corporate outside the United Kingdom, it applies to any individual whether or not he is a British subject, and to any body corporate whether or not incorporated under the law of any part of the United Kingdom.

(5) The powers conferred by Article 24 shall be exercisable in relation to any land forming part of the sea bed within the seaward limits of United Kingdom territorial waters adjacent to the coast of Northern Ireland.

(6) References in this Article to the sea bed are references to land permanently covered by the sea.