



Protection of Wrecks Act 1973

1973 CHAPTER 33

1 Protection of sites of historic wrecks.

[^{F1}(1) If the Secretary of State is satisfied with respect to any site in United Kingdom waters that—

- (a) it is, or may prove to be, the site of a vessel lying wrecked on or in the sea bed; and
- (b) on account of the historical, archaeological or artistic importance of the vessel, or of any objects contained or formerly contained in it which may be lying on the sea bed in or near the wreck, the site ought to be protected from unauthorised interference,

he may by order designate an area round the site as a restricted area.

(2) An order under this section shall identify the site where the vessel lies or formerly lay, or is supposed to lie or have lain, and—

- (a) the restricted area shall be all within such distance of the site (so identified) as is specified in the order, but excluding any area above high water mark of ordinary spring tides; and
- (b) the distance specified for the purposes of paragraph (a) above shall be whatever the Secretary of State thinks appropriate to ensure protection for the wreck.

(3) Subject to section 3(3) below, a person commits an offence if, in a restricted area, he does any of the following things otherwise than under the authority of a licence granted by the Secretary of State—

- (a) he tampers with, damages or removes any part of a vessel lying wrecked on or in the sea bed, or any object formerly contained in such a vessel; or
- (b) he carries out diving or salvage operations directed to the exploration of any wreck or to removing objects from it or from the sea bed, or uses equipment constructed or adapted for any purpose of diving or salvage operations; or
- (c) he deposits, so as to fall and lie abandoned on the sea bed, anything which, if it were to fall on the site of a wreck (whether it so falls or not), would wholly or partly obliterate the site or obstruct access to it, or damage any part of the wreck;

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Changes to legislation: There are currently no known outstanding effects for the Protection of Wrecks Act 1973, Section 1. (See end of Document for details)

and also commits an offence if he causes or permits any of those things to be done by others in a restricted area, otherwise than under the authority of such a licence.

- (4) Before making an order under this section, the Secretary of State shall consult with such persons as he considers appropriate having regard to the purposes of the order; but this consultation may be dispensed with if he is satisfied that the case is one in which an order should be made as a matter of immediate urgency.
- (5) A licence granted by the Secretary of State for the purposes of subsection (3) above shall be in writing and—
- (a) the Secretary of State shall in respect of a restricted area grant licences only to persons who appear to him either—
 - (i) to be competent, and properly equipped, to carry out salvage operations in a manner appropriate to the historical, archaeological or artistic importance of any wreck which may be lying in the area and of any objects contained or formerly contained in a wreck, or
 - (ii) to have any other legitimate reason for doing in the area that which can only be done under the authority of a licence;
 - (b) a licence may be granted subject to conditions or restrictions, and may be varied or revoked by the Secretary of State at any time after giving not less than one week's notice to the licensee; and
 - (c) anything done contrary to any condition or restriction of a licence shall be treated for purposes of subsection (3) above as done otherwise than under the authority of the licence.
- (6) Where a person is authorised, by a licence of the Secretary of State granted under this section, to carry out diving or salvage operations, it is an offence for any other person to obstruct him, or cause or permit him to be obstructed, in doing anything which is authorised by the licence, subject however to section 3(3) below.]

Subordinate Legislation Made

- P1** S. 1: for previous exercises of this power see Index to Government Orders.
- P2** S. 1: s. 1(1)(2)(4) power exercised by [S.I. 1991/1110](#).
S. 1(1)(2)(4): s. 1(1)(2)(4) power exercised by [S.I.1991/2746](#)

Textual Amendments

- F1** [S. 1](#) repealed (S.) (1.11.2013) by [Marine \(Scotland\) Act 2010 \(asp 5\)](#), s. 168(1), [Sch. 4 para. 4](#) (with [s. 162](#)); [S.S.I. 2013/276](#), art. 2

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