



# Territorial Sea Act 1987

## 1987 CHAPTER 49

### 1 Extension of territorial sea. **U.K.**

- (1) Subject to the provisions of this Act—
  - (a) the breadth of the territorial sea adjacent to the United Kingdom shall for all purposes be 12 nautical miles; and
  - (b) the baselines from which the breadth of that territorial sea is to be measured shall for all purposes be those established by Her Majesty by Order in Council.
- (2) Her Majesty may, for the purpose of implementing any international agreement or otherwise, by Order in Council provide that any part of the territorial sea adjacent to the United Kingdom shall extend to such line other than that provided for by subsection (1) above as may be specified in the Order.
- (3) In any legal proceedings a certificate issued by or under the authority of the Secretary of State stating the location of any baseline established under subsection (1) above shall be conclusive of what is stated in the certificate.
- (4) As from the coming into force of this section the Territorial Waters Order in Council 1964 and the Territorial Waters (Amendment) Order in Council 1979 shall have effect for all purposes as if they were Orders in Council made by virtue of subsection (1) (b) above; and subsection (5) below shall apply to those Orders as it applies to any other instrument.
- (5) Subject to the provisions of this Act, any enactment or instrument which (whether passed or made before or after the coming into force of this section) contains a reference (however worded) to the territorial sea adjacent to, or to any part of, the United Kingdom shall be construed in accordance with this section and with any provision made, or having effect as if made, under this section.
- (6) Without prejudice to the operation of subsection (5) above in relation to a reference to the baselines from which the breadth of the territorial sea adjacent to the United Kingdom is measured, nothing in that subsection shall require any reference in any enactment or instrument to a specified distance to be construed as a reference to a distance equal to the breadth of that territorial sea.
- (7) In this section “nautical miles” means international nautical miles of 1,852 metres.

*Changes to legislation: There are currently no known outstanding effects for the Territorial Sea Act 1987. (See end of Document for details)*

#### Modifications etc. (not altering text)

- C1** S. 1 applied (W.) (1.4.2002) by S.I. 2002/676, **art. 2(3)**
- C2** S. 1 modified (coming into force in accordance with S.I. 2002/250, **art. 1**) by 1997/278 (as amended by 2002/250, arts. 1, 2)
- C3** S. 1 extended (with modifications) (Guernsey) (19.5.2014) by The Territorial Sea Act 1987 (Guernsey) Order 2014 (S.I. 2014/1105), arts. 1, 2, **Schs.**
- C4** S. 1(7) modified (coming into force in accordance with S.I. 2002/250, **art. 1**) by S.I. 1997/278 (as amended by S.I. 2002/250, **arts. 1, 2**)

## 2 Enactments and instruments not affected. **U.K.**

- (1) Except in so far as Her Majesty may by Order in Council otherwise provide, nothing in section 1 above shall affect the operation of any enactment contained in a local Act passed before the date on which that section comes into force.
- (2) Nothing in section 1 above, or in any Order in Council under that section or subsection (1) above, shall affect the operation of so much of any enactment passed or instrument made before the date on which that section comes into force as for the time being settles the limits within which any harbour authority or port health authority has jurisdiction or is able to exercise any power.

<sup>F1</sup>(3) .....

- (4) Nothing in section 1 above, or in any Order in Council under that section, shall affect—
- (a) any regulations made under section 6 of the <sup>M1</sup>Petroleum (Production) Act 1934 [<sup>F2</sup>or section 4 of the Petroleum Act 1998] before the date on which that section or Order comes into force; or
- (b) any licences granted under the said Act of 1934 [<sup>F3</sup>or Part I of the said Act of 1998] before that date or granted on or after that date in pursuance of regulations made under [<sup>F4</sup>either of those sections] before that date.

- (5) In this section—

“coal” has the same meaning as in the <sup>M2</sup>Coal Industry Nationalisation Act 1946;

“harbour authority” means a harbour authority within the meaning of the <sup>M3</sup>Harbours Act 1964 or the <sup>M4</sup>Harbours Act (Northern Ireland) 1970; and

“port health authority” means a port health authority for the purposes of the <sup>M5</sup>Public Health (Control of Disease) Act 1984.

#### Textual Amendments

- F1** S. 2(3) repealed (5.7.1994) by 1994 c. 21, s. 67, **Sch. 11 Pt. II**
- F2** Words in s. 2(4)(a) inserted (15.2.1999) by 1998 c. 17, ss. 50, **Sch. 4 para. 24(a)**; S.I. 1999/161, **art. 2**
- F3** Words in s. 2(4)(b) inserted (15.2.1999) by 1998 c. 17, ss. 50, **Sch. 4 para. 24(b)**; S.I. 1999/161, **art. 2**
- F4** Words in s. 2(4) substituted (15.2.1999) by 1998 c. 17, ss. 50, **Sch. 4 para. 24(b)**; S.I. 1999.161, art. 2

#### Marginal Citations

- M1** 1934 c. 36.
- M2** 1946 c. 59.
- M3** 1964 c. 40.
- M4** 1970 c. 1. (N.I.).

*Changes to legislation: There are currently no known outstanding effects for the Territorial Sea Act 1987. (See end of Document for details)*

M5 1984 c. 22.

### 3 Amendments and repeals. **U.K.**

- (1) The enactments mentioned in Schedule 1 to this Act shall have effect with the amendments there specified (being minor amendments and amendments consequential on the provisions of this Act).
- (2) Her Majesty may by Order in Council—
  - (a) make, in relation to any enactment passed or instrument made before the date on which section 1 above comes into force, any amendment corresponding to any of those made by Schedule 1 to this Act;
  - [<sup>F5</sup>(b) amend subsection (1) of section 36 of the <sup>M6</sup> Wildlife and Countryside Act 1981 (marine nature reserves) so as to include such other parts of the territorial sea adjacent to Great Britain as may be specified in the Order in the waters and parts of the sea which, by virtue of paragraph 6 of Schedule 1 to this Act, may be designated under that section; ]
  - (c) [<sup>F6</sup> amend paragraph 1 of Article 20 of the <sup>M7</sup> Nature Conservation and Amenity Lands (Northern Ireland) Order 1985 (marine nature reserves) so as to include such other parts of the territorial sea adjacent to Northern Ireland as may be specified in the Order in the waters and parts of the sea which, by virtue of paragraph 9 of Schedule 1 to this Act, may be designated under that Article. ]
- (3) Her Majesty may by Order in Council make such modifications of the effect of any Order in Council under section 1(7) of the <sup>M8</sup> Continental Shelf Act 1964 (designated areas) as appear to Her to be necessary or expedient in consequence of any provision made by or under this Act.
- (4) The enactments mentioned in Schedule 2 to this Act are hereby repealed to the extent specified in the third column of that Schedule.

#### Textual Amendments

- F5** S. 3(2)(b) repealed (E.W.) (12.1.2010 for specified purposes and 12.12.2014 in so far as not already in force) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(4), **Sch. 22 Pt. 3**; S.I. 2014/3088, art. 2(c) and s. 3(2)(b) repealed (S.) (1.7.2010) by [Marine \(Scotland\) Act 2010 \(asp 5\)](#), s. 168(1), **Sch. 4 para. 6(a)** (with s. 162); S.S.I. 2010/230, art. 2(h)
- F6** S. 3(2)(c) repealed (N.I.) (18.9.2013) by [Marine Act \(Northern Ireland\) 2013 \(c. 10\)](#), **ss. 40(1)(b)(i)**, 49 (with ss. 1(1), 46(3), 47)

#### Marginal Citations

- M6** 1981 c. 69.  
**M7** S.I. 1985/170 (N.I.).  
**M8** 1964 c. 29.

### 4 Short title, commencement and extent. **U.K.**

- (1) This Act may be cited as the Territorial Sea Act 1987.

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- (2) This Act shall come into force on such day as Her Majesty may by Order in Council appoint, and different days may be so appointed for different provisions and for different purposes.
- (3) This Act extends to Northern Ireland.
- (4) Her Majesty may by Order in Council direct that any of the provisions of this Act shall extend, with such exceptions, adaptations and modifications (if any) as may be specified in the Order, to any of the Channel Islands or to the Isle of Man.

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**Extent Information**

**E1** [S. 4](#) does not extend to the Channel Islands nor the Colonies.

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**Subordinate Legislation Made**

**P1** [S. 4\(4\)](#): s. 4(4) power exercised by [S.I.1991/1722](#)

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**Modifications etc. (not altering text)**

**C5** [S. 4\(1\)](#) extended (with modifications) (Guernsey) (19.5.2014) by [The Territorial Sea Act 1987 \(Guernsey\) Order 2014 \(S.I. 2014/1105\)](#), arts. 1, 2, [Schs.](#)

**C6** Power of appointment conferred by s. 4(2) fully exercised: 1.10.1987 appointed by [S.I. 1987/1270](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Territorial Sea Act 1987.