
STATUTORY INSTRUMENTS

1999 No. 856

MERCHANT SHIPPING

The Protection of Wrecks (M/S Estonia) Order 1999

<i>Made</i>	- - - -	<i>17th March 1999</i>
<i>Laid before Parliament</i>		<i>26th March 1999</i>
<i>Coming into force</i>	- -	<i>12th May 1999</i>

The Secretary of State for the Environment, Transport and the Regions, in exercise of the powers conferred by section 24(1) and (2) of the Merchant Shipping and Maritime Security Act 1997⁽¹⁾, and of all other powers enabling him in that behalf, hereby makes the following Order:

1.—(1) This Order may be cited as the Protection of Wrecks (M/S Estonia) Order 1999.

(2) This Order shall come into force on 12th May 1999.

2. For the purposes of this Order “the protected area” means the area delineated by geodesics joining in sequence the following points—

- 59° 23.500'N, 21° 40.000'E;
- 59° 23.500'N, 21° 42.000'E;
- 59° 22.500'N, 21° 42.000'E;
- 59° 22.500'N, 21° 40.000'E⁽²⁾.

3.—(1) A person shall not do any of the following, or cause or permit any other person to do any of the following, in the protected area:

- (a) tamper with, damage or remove any part of a vessel lying wrecked on or in the sea bed, or any object or body in or formerly contained in such vessel;
- (b) carry out diving or salvage operations directed to the exploration of any wreck or to removing any object or body from it or from the sea bed; or
- (c) use equipment constructed or adapted for any purpose of diving or salvage operations.

(2) Any contravention of paragraph (1) above shall be an offence punishable on summary conviction by a fine not exceeding the statutory maximum or on conviction on indictment by a fine.

(1) 1997 c. 28.

(2) The points are defined by geographical co-ordinates on the World Geodetic System 1984 (WGS 84).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Signed by authority of the Secretary of State for the Environment, Transport and the Regions.

Glenda Jackson
Parliamentary Under-Secretary of
State
Department of the Environment, Transport
and the Regions

17th March 1999

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision for the purpose of giving effect to the Agreement between the Republic of Estonia, the Republic of Finland and the Kingdom of Sweden regarding the M/S Estonia (Cm 4252). The date of the United Kingdom's accession to the Agreement will be published in the London, Edinburgh and Belfast Gazettes.

The Agreement designates the wreck of the M/S Estonia and surrounding area as the final place of rest for the victims of the disaster. United Kingdom accession to the Agreement is subject to a reservation to article 4(2) which requires that disturbance of the final place of rest be punishable by imprisonment under national law. Accordingly the offences created by this Order (which are subject to section 24(3) of the Merchant Shipping and Maritime Security Act 1997) are punishable by fine.