

2005 No. 3447

POLICE

CRIMINAL LAW

The Serious Organised Crime and Police Act 2005 (Designated Sites) Order 2005

<i>Made</i> - - - -	<i>14th December 2005</i>
<i>Laid before Parliament</i>	<i>19th December 2005</i>
<i>Coming into force</i> - -	<i>1st April 2006</i>

The Secretary of State makes the following order in exercise of the powers conferred upon him by sections 128 and 129 of the Serious Organised Crime and Police Act 2005(a):

Citation and commencement

1. This Order may be cited as the Serious Organised Crime and Police Act 2005 (Designated Sites) Order 2005 and shall come into force on 1st April 2006.

Designated sites

2.—(1) The sites listed in the Schedule to this Order are designated for the purposes of sections 128 and 129 of the Serious Organised Crime and Police Act 2005.

(2) A designated site comprises the area within the outer perimeter of the protection provided for the site, being the line of the outermost fences, walls, or other obstacles provided or relied on for protecting the site from intruders.

(3) The line referred to in paragraph (2) shall be determined on the assumption that every gate, door or other barrier across a way through a fence, wall or other obstacle is closed.

(4) In respect of any site directly adjoining the coast, the line referred to in paragraph (2) shall run along the edge of the man-made quay so that any wharf, jetty or structure that projects into the sea is included within the designated site.

14th December 2005

Adam Ingram
Minister of State
Ministry of Defence

(a) 2005 c.15.

SCHEDULE

Her Majesty's Naval Base Clyde
Northwood Headquarters
RAF Brize Norton
RAF Croughton
RAF Fairford
RAF Feltwell
RAF Fylingdales
RAF Lakenheath
RAF Menwith Hill
RAF Mildenhall
RAF Welford
Royal Naval Armaments Depot Coulport
Sea Mounting Centre Marchwood

EXPLANATORY NOTE

(This note is not part of the Order)

The Secretary of State has determined that it is in the interests of national security to designate the sites listed in the Schedule. The sites in England are designated under section 128, and the sites in Scotland under section 129, of the Serious Organised Crime and Police Act 2005.

Under section 128 of the Act, a person commits an offence if he enters, or is on, any designated site in England or Wales as a trespasser. Under section 129 of the Act, a person commits an offence if he enters, or is on, any designated Scottish site without lawful authority.

An offence under section 128 is punishable on summary conviction by imprisonment for a term not exceeding 51 weeks, or a fine not exceeding level 5 on the standard scale, or both.

An offence under section 129 is punishable on summary conviction by imprisonment for a term not exceeding 12 months, or a fine not exceeding level 5 on the standard scale, or both.

£3.00

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E1784 12/2005 151784T 19585