



Protection of Military Remains Act 1986

1986 CHAPTER 35

9 Interpretation.

(1) In this act, except in so far as the context otherwise requires—

“aircraft” includes a hovercraft, glider or balloon;

“British-controlled ship” means a ship registered in the United Kingdom or a ship exempted from such registration under the [^{F1}Merchant Shipping Act 1995];

“controlled site” means any area which is designated as such a site under section 1 above;

“Crown land” has the same meaning as in section 50 of the ^{M1}Ancient Monuments and Archaeological Areas Act 1979;

“international waters” means means any part of the sea outside the seaward limits of the territorial wates adjacent to any country or territory;

“military service” shall be shall be construed in accordance with subsection (2) below;

“nautical miles” means means international nautical miles of 1,852 metres;

“protected place” shall be construed in accordance with section 1(6) above;

“remains”, in relation to, or part of, an aircraft or vessel which has crashed, sunk or been stranded, includes any cargo, munitions, apparel or personal effects which were on board the aircraft or vessel during its final flight or voyage (including, in the case of a vessel, any aircraft which were on board) and any human remains associated with the aircraft or vessel;

“sea” includes the sea bed and, so far as the tide flows at mean high water springs, any estuary or arm of the sea and the waters of any channel, creek, bay or river;

“sea bed” includes any area submerged at mean high water springs;

“United Kingdom waters” means any part of the sea within the seaward limits of the territorial waters adjacent to the United Kingdom.

(2) For the purposes of this Act an aircraft or vessel shall be regarded as having been in military service at a particular time if at that time it was—

Changes to legislation: Protection of Military Remains Act 1986, Section 9 is up to date with all changes known to be in force on or before 23 December 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (a) in service with, or being used for the purposes of, any of the armed forces of the United Kingdom or any other country or territory; or
 - (b) in the case of an aircraft, being taken from one place to another for delivery into service with any of the armed forces of the United Kingdom.
- (3) Where a place comprising the remains of, or of a substantial part of, any aircraft or vessel which has crashed, sunk or been stranded while in military service is situated only partly in United Kingdom waters, that place shall be treated for the purposes of this Act as if the part which is situated in United Kingdom waters and the part which is situated in the United Kingdom or in international waters were separate places each of which comprised the remains of a substantial part of the aircraft or vessel.

Textual Amendments

F1 Words in s. 9(1) substituted (1.1.1996) by 1995 c. 21, ss. 314(2), 316(2), **Sch. 13 para. 76** (with s. 312(1))

Marginal Citations

M1 1979 c. 46.

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Changes and effects yet to be applied to :

- s. 9(1) words inserted by [2023 asc 3 Sch. 13 para. 70](#)