



# National Heritage Act 2002

## 2002 CHAPTER 14

### *Underwater archaeology*

#### **1 New functions relating to underwater archaeology**

- (1) Amend section 33 of the National Heritage Act 1983 (c. 47) (general functions of the Historic Buildings and Monuments Commission for England) as follows.
- (2) In subsection (8), in the definition of “ancient monument”, after “site” insert “ (including any site comprising, or comprising the remains of, any vehicle, vessel, aircraft or other movable structure or part thereof) ”.
- (3) After that subsection insert—
  - “(9) In this section references to ancient monuments in England include ancient monuments in, on or under the seabed within the seaward limits of the United Kingdom territorial waters adjacent to England.
  - (10) For this purpose the Secretary of State may, by order, determine (or make provision for determining) any boundary between—
    - (a) the parts of the United Kingdom territorial waters which are to be treated as adjacent to England, and
    - (b) those which are not.
  - (11) The power to make an order under subsection (10) shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

**Changes to legislation:**

National Heritage Act 2002, Section 1 is up to date with all changes known to be in force on or before 18 October 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.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(2)(b) word repealed by [S.I. 2015/2006 \(N.I.\) art. 81\(1\)\(a\)](#)
- s. 1(2)(d) and word inserted by [S.I. 2015/2006 \(N.I.\) art. 81\(1\)\(b\)](#)
- s. 2(8)(a)(b) substituted by [S.I. 2015/2006 \(N.I.\) art. 80\(2\)](#)
- s. 17(1) words substituted by [S.I. 2015/2006 \(N.I.\) art. 80\(3\)](#)
- s. 19(4)(za) inserted by [S.I. 2015/2006 \(N.I.\) art. 81\(2\)](#)

**Commencement Orders yet to be applied to the National Heritage Act 2002**

Commencement Orders bringing legislation that affects this Act into force:

- [S.I. 2005/3255 art. 2](#) commences (2004 c. 33)