



National Heritage Act 2002

2002 CHAPTER 14

Underwater archaeology

2 Amendments consequential on section 1

(1) In section 34 of the National Heritage Act 1983 (c. 47) (Commission to exercise certain ministerial functions)—

- (a) in subsection (3), after “site” insert “ (including any site comprising, or comprising the remains of, any vehicle, vessel, aircraft or other movable structure or part thereof) ”; and
- (b) after that subsection insert—

“(3A) 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; and an order under section 33(10) applies for the purposes of this subsection as it applies for the purposes of section 33(9).”

(2) In section 17 of the Ancient Monuments and Archaeological Areas Act 1979 (c. 46) (agreement concerning ancient monuments and land in their vicinity), after subsection (9) insert—

“(10) References in this section to an ancient monument situated in England include any such monument situated in, on or under the seabed within the seaward limits of the United Kingdom territorial waters adjacent to England; and an order under section 33(10) of the National Heritage Act 1983 (orders determining limits of waters adjacent to England) applies for the purposes of this subsection as it applies for the purposes of section 33(9) of that Act.”

(3) In section 24 of that Act (expenditure by Secretary of State or local authority on acquisition and preservation of ancient monuments, etc), after subsection (3A) insert—

“(3AA) The reference in subsection (3A) above to a monument situated in England includes any monument situated in, on or under the seabed within the seaward limits of the United Kingdom territorial waters adjacent to England; and

Changes to legislation: National Heritage Act 2002, Section 2 is up to date with all changes known to be in force on or before 20 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. (See end of Document for details) [View outstanding changes](#)

an order under section 33(10) of the National Heritage Act 1983 (orders determining limits of waters adjacent to England) applies for the purposes of this subsection as it applies for the purposes of section 33(9) of that Act.”

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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)