Public Stores Act 1875

1875 CHAPTER 25 38 and 39 Vict

8 Prohibition of sweeping, &c. near dockyards, artillery ranges, &c.

It shall not be lawful for any person, without permission in writing from a public department, or from some person authorised by a public department in that behalf (proof of which permission shall lie on the party accused,) to gather or search for stores, or to creep, sweep, or dredge in the sea or any tidal water, within one hundred yards from any vessel belonging to Her Majesty or in Her Majesty's service, or from any mooring place or anchoring place appropriated to such vessels, or from any moorings belonging to Her Majesty, or from any of Her Majesty's wharves, or dock, victualling, or steam factory yards, or within one thousand yards from any battery or fort used for the practice of artillery either by the Royal Artillery or by [F1]. . . volunteer artillery **[**[F2]or from any aerodrome used by the Air Force**]**, or in or on any part of the spaces or distances, whether covered with water or not, from time to time marked out as ranges for artillery practice for the use of Her Majesty's ships, or marked out and appropriated for ranges under the provisions of the [M1]Artillery Ranges Act 1862.

[M2]If any person acts in contravention of this provision he shall be liable, on summary conviction, to a penalty not exceeding **[**[F3]level 1 on the standard scale**]**, or, in the discretion of the court, to be imprisoned for any term not exceeding two months, [F4]. . .

Textual Amendments

F1 Words repealed by Territorial Army and Militia Act 1921 (c. 37), s. 4(1), **Sch. 2**

F2 Words inserted by S.R. & O. 1918/548 (Rev. I, p. 896: 1918, p. 50)

F3 Words substituted (E.W.) by virtue of Criminal Justice Act 1982 (c. 48, SIF 39:1), **ss. 38**, 46; and (S.) by virtue of Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), **ss. 289F**, 289G; and (N.I.) by virtue of The Fines and Penalties (Northern Ireland) Order 1984 (S.I. 1984/703), **arts. 5-10**

F4 Words omitted (E.W.) by virtue of Criminal Justice Act 1948 (c. 58), **s. 1(2)**; and (S.) by virtue of Criminal Procedure (Scotland) Act 1975 (c. 21), **s. 221(2)**; and (N.I.) by virtue of Criminal Justice Act (Northern Ireland) 1953 (c. 14), **s. 1(2)**

Modifications etc. (not altering text)

C1 Reference to steam factory yards to be construed as including reference to aircraft factories by virtue of S.R. & O. 1918/548 (Rev. I, p. 896: 1918, p. 50)

Changes to legislation: *Public Stores Act 1875, Section 8 is up to date with all changes known to be in force on or before 24 May 2024. 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*

Marginal Citations

M1 1862 c. 36.

M2 Penalty.

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Changes and effects yet to be applied to :

– s. 8 words repealed by 2003 c. 44 Sch. 37 Pt. 9