
EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which replaces and consolidates previous Orders, designates various vessels, listed in article 2, as vessels to which the Protection of Military Remains Act 1986 (“the Act”) applies. This means that the places containing the remains of those vessels are protected places within the meaning of the Act. Subject to sections 2(5), 2(6) and 3 of the Act, a person who, believing or having reasonable grounds for suspecting that a place comprises any remains of a vessel which has sunk or been stranded while in military service, tampers with remains by virtue of which that place is a protected place, commits an offence unless he has a licence; see sections 2 and 4 of the Act. Section 2 also creates a number of additional offences in relation to protected places.

In addition, this Order designates the places containing the remains of HMS A7 (see article 3(b)(i)), HMS Affray (see article 3(e)(i)), HMS Bulwark (see article 3(a)(i)), HMS Dasher (see article 3(b)(ii)), HMS Exmouth (see article 3(f)), HMS Formidable (see article 3(e)(ii)), HMS H5 (see article 3(d)(i)), HMS Hampshire (see article 3(d)(ii)), HMS Natal (see article 3(a)(ii)), HMS Royal Oak (see article 3(b)(iii)), HMS Vanguard (see article 3(b)(iv)) and UB-81 (see article 3(c)) as controlled sites within the meaning of the Act. The place containing the remains of UB-81 is designated for the first time as a controlled site. Subject to sections 2(6) and 3 of the Act, a person who tampers with any remains of a vessel in a place which is part of a controlled site commits an offence unless he has a licence; see sections 2 and 4 of the Act. Section 2 also creates a number of additional offences in relation to controlled sites.