



**SEALAND
RANGES
BYELAWS
1972**

Made by the Secretary of State for Defence, under the provisions of the Military Lands Act 1892 to 1903, for regulating the use of the above mentioned ranges.

DEFENCE

THE SEALAND RANGES BYELAWS 1972

Made 11th September 1972
Coming into operation 1st January, 1973

The Secretary of State for Defence in exercise of his powers under Part II of the Military Lands Acts 1892 (a), Section 2 of the Military Lands Act 1900 (b), Section 2 of the Defence (Transfer of Functions) Act 1964 (c), and of all other powers enabling him in that behalf hereby, with the consent of the Secretary of State for Trade and Industry makes the following Byelaws:—

AREAS OF LAND AND SEA AFFECTED

1. (1) The area to which these Byelaws apply (hereinafter referred to as "the Danger Area") consists of:—
 - (a) the lands (in part belonging to the Secretary of State and in part lands which the Secretary of State has the right to use for defence purposes) in the Parish of Connah's Quay in the County of Flintshire and in the Parishes of Burton and Ness in the County of Cheshire, which lands are in these Byelaws referred to as the "Land Area" and
 - (b) the area below the line of Mean High Water (which area is in these Byelaws referred to as the "Sea Area").
- (2) The limits of the Sea Area are set out in the Schedule hereto and the boundaries of the Land Area and the limits of the Danger Area are for convenience of identification shown by a thick black line on the plan hereto annexed and identified as "Plan of the Sealand Range".

USE OF DANGER AREA

2. The Danger Area may be used for the purposes of the firing of rifles and small arms and of all activities ancillary to such firing.

PROHIBITION OF ACCESS

3. (1) When the Danger Area is being used for any of the

purposes specified in Byelaw No. 2, no person shall:—

- (a) enter into or upon or pass over or through the Danger Area, or
 - (b) be or remain in or upon the Danger Area, or
 - (c) cause or permit or suffer any vehicle, animal, vessel, aircraft or thing to enter into or upon or to pass through or to be or remain in or upon the Danger Area, or
 - (d) cause or permit any aircraft to fly over the Danger Area at a height less than 500 feet above mean sea level.
- (2) Whilst the Danger Area is being used for any of the said purposes, notice of the fact shall be given by the display of the following signals, that is to say, by the display of a red flag by day and a red light by night hoisted at the places shown by a flag on the plan annexed to these Byelaws.

PROJECTILES

4. No person shall dig, trawl, dredge, or search for any projectile or any lead or other metal in or on the Danger Area, or interfere with or take or retain or be in possession of any projectile or any lead or other metal found within the Danger Area, or remove any projectile from the Danger Area.

GOVERNMENT STORES

5. No person shall interfere with or remove from the Danger Area any stores or articles belonging to or under the care or control of the Ministry of Defence or otherwise the property of the Crown.

OFFENCES

6. Subject to the provisions of Byelaw No. 8:—

- (1) any person doing anything prohibited by or otherwise contravening any provision of any of the preceding Byelaws Nos. 3, 4 and 5 thereby commits an offence against the Byelaw so contravened;
- (2) the master of every vessel shall observe and cause to be observed the said Byelaws so far as they relate to his vessel, and any master who contravenes any of the said Byelaws or who fails to cause the same to be observed thereby commits an offence against the Byelaw so contravened.

ENFORCEMENT

7. The following persons are hereby authorised to remove from

the Danger Area and to take into custody without warrant any person found therein when it is being used for any of the purposes specified in Byelaw No. 2 or found committing any other offence against any of the said Byelaws, and to remove from the Danger Area any vehicle, animal, vessel, aircraft or thing whatsoever found in the Danger Area in contravention of any of the said Byelaws:—

- (a) the General Officer Commanding North West District;
- (b) the Officer in Charge of the Sealand Range;
- (c) any officer, warrant officer, non-commissioned officer or rating of corresponding rank, or any service policeman, in uniform and being for the time being under the Command of the said General Officer Commanding or the Officer in Charge of the Sealand Range;
- (d) any person authorised in writing by or on behalf of the said General Officer Commanding or the Officer in Charge of the Sealand Range; and
- (e) any member of a police force or any special constable under the control of the Defence Council.

EXEMPTIONS

8. (1) Nothing done by a person using the Danger Area in pursuance of Byelaw No. 2 or by a person acting under and in accordance with any authority or permission given by or on behalf of the Secretary of State or the General Officer Commanding North West District, or the Officer in charge of the Sealand Range shall constitute an offence against any of these Byelaws.
- (2) If it is proved that an act or omission of any person which could otherwise have been an offence against any of the provisions of paragraph (1) of Byelaw No. 3, was due to any cause not avoidable by the exercise of reasonable care by that person the act or omission shall be deemed not to be an offence by that person against that Byelaw.
- (3) These Byelaws shall not apply to:—
- (a) any vessel passing through the Sea Area in the normal course of navigation and taking no longer than is reasonably necessary for that purpose;
 - (b) any vessel employed in tending, placing, replacing or removing any buoys or other aids to navigation within the Sea Area;
 - (c) any wreck-marking vessels, hoppers and vessels carrying out trials or compass adjustment;
 - (d) any vessel belonging to the Corporation of Trinity House whilst employed on any Trinity House duty or services.

INTERPRETATION

9. (1) The Interpretation Act 1889 (d) shall apply to the interpretation of these Byelaws as it applies to the interpretation of an Act of Parliament.
- (2) In these Byelaws the expression:—
- “projectile” includes any shot or shell or other missile and any portion thereof;
 - “master” includes the person having command or charge of a vessel for the time being;
 - “vessel” includes any craft or vessel used in navigation and any craft or vessel which though not so used is for the time being waterborne; and
 - “aircraft” includes any craft or contrivance which, though not an aircraft, is for the time being airborne.

DATE OF OPERATION OF BYELAWS

10. These Byelaws shall come into operation on 1st day of January 1973 and may be cited as the Sealand Ranges Byelaws 1972.

THE SCHEDULE

The limits of the Sea Area are as follows:—

On the East

Commencing at a point on the Sea Wall in Latitude 53° 15' 07" North, Longitude 3° 02' 53" West and proceeding along the Sea Wall, by a line on a true bearing of 195° for a distance of 0·513 nautical miles (1,040 yards) to a point in Latitude 53° 14' 37" North, Longitude 3° 03' 04" West; thence

On the South

From the last mentioned point on a true bearing of 299° for a distance of 0·5175 nautical miles (1,050 yards) to a point in Latitude 53° 14' 53" North, Longitude 3° 03' 48" West, thence on a true bearing of 313° for a distance of 0·498 nautical miles (1,010 yards) to a point in Latitude 53° 15' 13½" North, Longitude 3° 04' 25" West; thence

On the West

From the last mentioned point on a true bearing of 043° for a distance of 0·2034 nautical miles (420 yards) to a point in Latitude

53° 15' 23" North, Longitude 3° 04' 11" West, thence on a true bearing of 320° for a distance of 0.0517 nautical miles (105 yards) to a point in Latitude 53° 15' 25" North, Longitude 3° 04' 14" West, thence on a true bearing of 050° for a distance of 0.163 nautical miles (330 yards) to a point in Latitude 53° 15' 31½" North, Longitude 3° 04' 01½" West, thence on a true bearing of 324° for a distance of 0.0986 nautical miles (195 yards) to a point in Latitude 53° 15' 36" North, Longitude 3° 04' 07" West, thence on a true bearing of 054° for a distance of 0.404 nautical miles (820 yards) to a point in Latitude 53° 15' 50" North, Longitude 3° 03' 34" West; thence

On the North

From the last mentioned point on a true bearing of 144° for a distance of 0.494 nautical miles (1,000 yards) to a point in Latitude 53° 15' 26" North, Longitude 3° 03' 05" West, thence on a true bearing of 156° for a distance of 0.34 nautical miles (690 yards) to the point of commencement in Latitude 53° 15' 07" North, Longitude 3° 02' 53" West.

Dated this 27th day of July 1972.

D. J. CHAPMAN

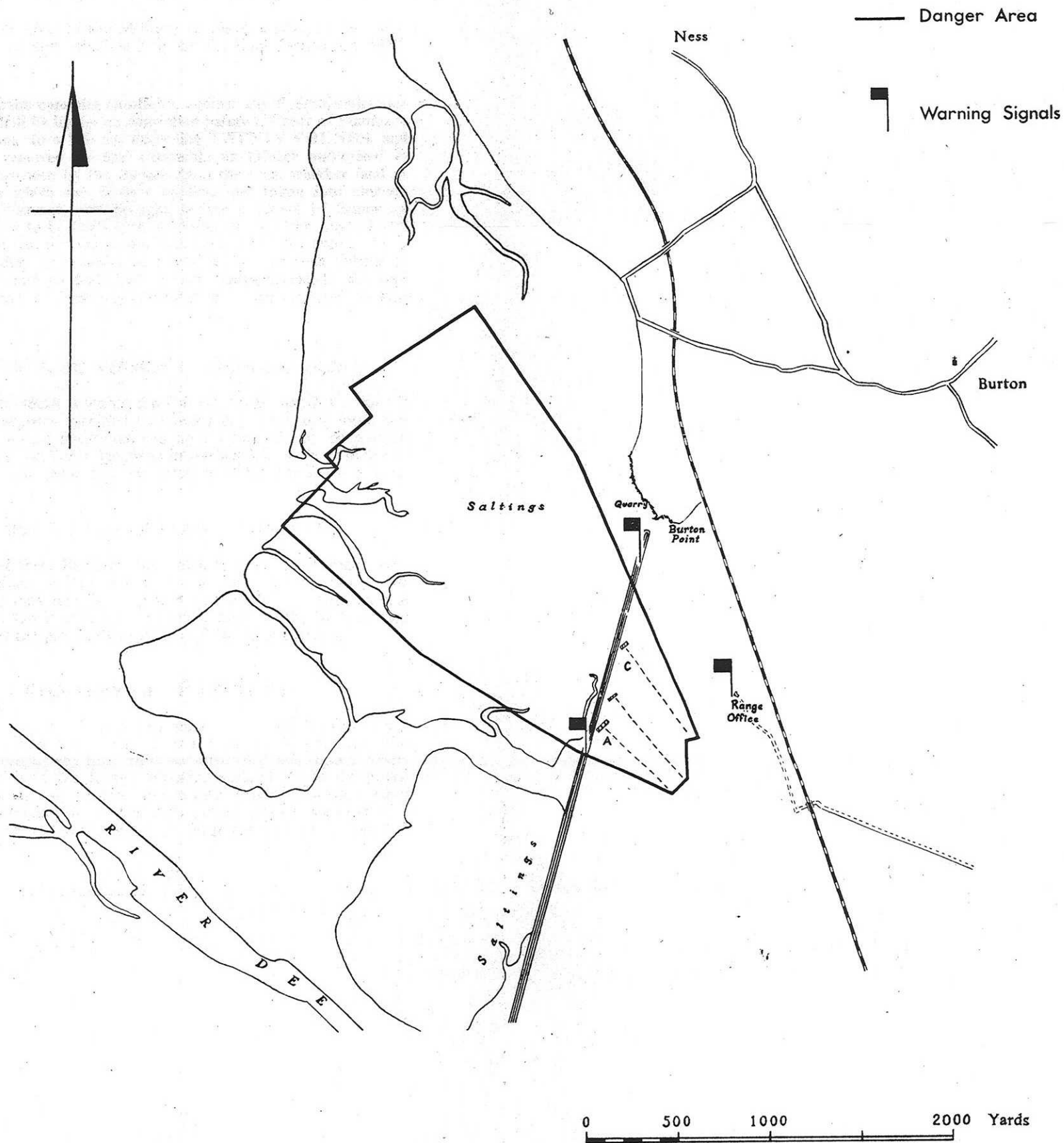
By Order of the Secretary of State
for Defence.

The Secretary of State for Trade and Industry hereby consents to the making of these Byelaws.

Dated this 11th day of September, 1972.

J. N. ARCHER

An Under Secretary of the Department of Trade and Industry.



Plan of the Sealand Range

NOTICES

PENALTY FOR OFFENCES

1. By Section 17(2) of the Military Lands Act 1892, as amended by Section 92 of and Schedule 3 to the Criminal Justice Act 1967, it is provided:—

If any person commits an offence against any Byelaw under this Act, he shall be liable, on conviction before a Court of Summary Jurisdiction, to a fine not exceeding TWENTY POUNDS, and may be removed by any Constable or Officer authorised in manner provided by the Byelaw from the area, whether land or water, to which the Byelaw applies, and taken into custody without Warrant, and brought before a Court of Summary Jurisdiction to be dealt with according to law, and any vehicle, animal, vessel, or thing found in the area in contravention of any Byelaw, may be removed by any Constable or such Officer as aforesaid, and on due proof of such contravention, be declared by a Court of Summary Jurisdiction to be forfeited to Her Majesty.

WARNING TO VESSELS IN DANGER AREA

2. When any vessel is within the Danger Area when it is used for any of the purposes specified in Byelaw No. 2 an additional red flag by day and an additional red light by night may be hoisted below the flags and lights described in Byelaw 3(2) in order to notify the master of the vessel that his vessel is within the Danger Area.

INSPECTION OF BYELAWS AND PLAN

3. A copy of these Byelaws and a plan showing the Danger Area may be inspected at the Police Stations at Connah's Quay and Neston. They may also be inspected at the office of the Defence Land Agent, 1 Greyfriars, Chester, where copies of the Byelaws may be obtained at the price of fivepence (5p) for each copy.

RECOVERY OF PROJECTILES

4. Any person who finds a projectile within the Danger Area, being on the Land Area or in the Sea Area which is for the time being uncovered by the tide, must not disturb it but should report the finding of it to the Range Warden, Sealand, or to the police or to a coastguard at the first opportunity. Any person who, when trawling or dredging in the Sea Area, comes into possession of a projectile found within the Sea Area must not retain it but should

immediately and without tampering with it return it in its then condition into the water and report to the Range Warden, Sealand or the police or to a coastguard the position where the projectile was returned into the water.

PUBLIC NOTIFICATION OF FIRING

5. Public Notification that night firing will take place will be given by sending notices, not less than seven clear days before the night of firing, giving particulars of the intended date, time and duration of the firing to the persons and authorities listed in the Appendix hereto.

APPENDIX

Cheshire Constabulary, Chester (Tel: Chester 23101).

Divisional Headquarters Gwynedd Constabulary, Prestatyn (Tel: Prestatyn 2341).

The Occupant, New Marsh Farm, Sealand
(Tel: Connah's Quay 2270).

The Occupant, Denhall House Farm, Burton (Tel: 051-336 4760).

H.M. Coastguard, Formby (Tel: Formby 72903).

Dee and Clwyd River Authority (Tel: Chester 45004).

Dee Wildfowlers Club.

British Steel Corporation, Shotton Group.

Notwithstanding any fine limit mentioned in the above byelaws the current maximum fine as at 01/09/2008 is the sum of £500 being the maximum on level 2 of the standard scale.