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13 August 2026

This document is to inform the diving community of the current proposed amendments to the Protection of Military Remains Act 1986 (PMRA), which are currently going through Parliament as part of the Armed Forces Bill 2026, and if passed, will come into force in February 2027.

This document has been produced in consultation with the British Sub Aqua Club and will be updated should any changes be made to the proposed amendments during the Armed Forces Bill's progression through Parliament and then finalised when the Armed Forces Bill 2026 achieves Royal Assent.

PMRA - Armed Forces Bill Clause 48 – Questions and Answers (Version 1)

1. What is PMRA?

- 1.1. The PMRA was introduced in 1986 to secure protection from unauthorised interference of the remains of military aircraft and vessels that have crashed, sunk or been stranded. The main purpose of the Act was to protect the sanctity of wrecks containing human remains, and to prevent interference for safety and security reasons.

2. How does PMRA currently protect wrecks?

- 2.1. At present, for a military wreck to have protected status under the PMRA, it must be designated as such via Statutory Instrument made under section 1(2) of the PMRA that contains 2 lists: Schedule 1 - designated Protected Places and Schedule 2 - designated Controlled Sites. Designations under PMRA are currently done via tranches and a new Statutory Instrument issued with an updated list of vessels to which the Act applies.

3. So not all military wrecks are protected?

- 3.1. At present, no, only wrecks that are designated under the Statutory Instrument and relevant schedules are protected under the PMRA.

4. What is the difference between a Protected Place and a Controlled Site?

- 4.1. In simple terms, a Protected Place means a wreck can be dived, but a diver shall not enter the enclosed interior or remove any artefacts from it. A Controlled Site is an additional layer of protection whereby a wreck can only be dived under licence from the MOD.

- 4.2. As mentioned above, for the wreck of a vessel to be protected it must be designated on one of the Schedules via Parliamentary process. Since the PMRA became law, many military shipwrecks have been discovered and/or have become more accessible to divers, and there is often a significant period of time between discovery and protection being granted, meaning the wrecks are vulnerable to disturbance and unauthorised salvage, despite many being a military maritime grave.

5. What are the issues with the Act in its current form?

- 5.1. As mentioned above, for the wreck of a vessel to be protected it must be designated on one of the Schedules via Parliamentary process. Since the PMRA became law, many military shipwrecks have been discovered and/or have become more accessible to divers, and there is often a significant period of time between discovery and protection being granted, meaning the wrecks are vulnerable to disturbance and unauthorised salvage, despite many being a military maritime grave.

6. What are the proposed changes being sought?

- 6.1. Rather than periodically update the Schedules, the current proposed amendments to PMRA (which may be subject to change as it progresses through Parliament) seek to automatically designate all shipwrecks that were lost whilst in military service as a Protected Place (unless already designated a Controlled Site). And to remove the restrictive time limits for Protected Places and Controlled Sites - as currently, older military shipwrecks are unable to be protected.

7. What is the aim of the proposed changes?

- 7.1. The aim of the proposed changes is to ensure all military shipwrecks are protected and our underwater cultural heritage is preserved. Applying automatic protection, as a Protected Place, ensures our military wrecks are protected from the outset, aligning with the protection already afforded to military aircraft. The proposed changes seek to remove the vulnerability of new discoveries and ensures wrecks that have been excluded under the current PMRA, are given protection.

8. Why are the changes being introduced?

- 8.1. The changes have been prompted by dramatic advances in, and the availability of, technology for finding and locating wrecks. There have been recent cases of salvage from military wrecks, which are not currently protected under the Act. Assumptions that the wrecks were safe from salvage due to their depth were made 40 years ago and are no longer valid today. For example, whilst there were a limited number of divers pushing the limits of exploration at the time the Act was introduced, dives below depths of 50m or offshore were rare, so depth and location afforded a level of protection; however, this is not the case today, which is why the changes are being recommended.

9. How will the proposed changes be introduced?

- 9.1. The proposed amendments to the PMRA are detailed in the Armed Forces Bill; you can read the exact wording of the proposed changes [here](#) (Clause 48).

10. When will the proposed changes take effect?

- 10.1. The AFB is currently passing through Parliament; view the progress of the Bill <https://bills.parliament.uk/bills/4065>. The Bill must achieve Royal Assent by December 2026 (i.e. successfully complete its passage through Parliament), with provisions in the Act being brought into force from early 2027. The assumption is that the proposed changes to the PMRA will be brought into force in February 2027.

11. Isn't this too late? Many wrecks have already been salvaged and damaged.

- 11.1. Unfortunately, it is true that many military wrecks have been subject to salvage over the years. However, it is now recognised that these past behaviours are no longer appropriate, and we need to preserve our underwater heritage. Whilst the past damage cannot be undone, we can aim to prevent further damage going forwards and better preserve our underwater heritage.

12. What does "military service" mean? Does this include Merchant Ships?

- 12.1. Military service means vessels that were under the Admiralty at the time of loss, will be subject to the provisions of the PMRA. This includes Merchant ships if they were formally requisitioned by the UK Government for use by the Armed Forces at the time of their loss.

13. How do I know if a wreck was in "military service"? Will MOD publish a list?

- 13.1. We recognise this is a practical and pressing question for divers. As there are thousands of military wreck sites around the world, it is not possible to compile a single definitive list. However, the MOD is committed to publishing the coordinates of wrecks formally designated as '**Controlled Sites**', which is publicly available and will be updated as new designations are made.
- 13.2. For wrecks that are 'Protected Places' the vessels do not have to be located, but divers are encouraged to apply reasonable research before diving. Reasonable research would typically include checking the named Protected Places schedule, consulting established resources such as the Wreck Section of the Maritime and Coastguard Agency (MCA), and reviewing the historical record of the vessel (for example, whether it was a naval vessel, an armed merchant vessel, or a civilian ship requisitioned by the military).
- 13.3. Where a diver has carried out this reasonable research and remains genuinely uncertain, they may contact the Royal Navy Heritage team: **NavyStratPol-SEC3RDSECTOR@mod.gov.uk**. The MOD aims to acknowledge enquiries within **[3 working days]** and to provide a substantive response within **[15 working days]**. We recognise that this may not always be possible before a planned dive, and we are committed to reviewing how to make status information more readily accessible.
- 13.4. **Importantly, the intent of these proposed changes is not to criminalise responsible, respectful divers.** A diver who visits a wreck in good faith — without disturbing, penetrating, or removing anything from the site — and who has made reasonable efforts to check its status, is not the target of the proposed

changes to the legislation. Prosecutions may be directed at those who interfere with, salvage from, or enter enclosed interiors of protected wrecks. Divers visiting military wreck sites in a respectful manner are welcomed, as this ensures the wrecks are not forgotten.

14. Under the proposed changes, will I still be able to dive on wrecks that are Protected Places?

14.1. Yes, divers will still be able to visit these sites on a 'look but don't touch basis', but unauthorised salvage and entry into the enclosed interior of the vessel is prohibited. There are a number of sites that are already Protected Places and are regularly dived by recreational divers, such as HMS M2 in Lyme Bay and HMS E-49 in Shetland, so the practice is well established.

15. Can I dive a Controlled Site?

15.1. A Controlled Site can only be dived under licence from the MOD.

16. But isn't a licence only granted to a 'select few'?

16.1. There is a common misconception that Controlled Sites are banned to the majority of divers, however, anyone can apply for a licence. In the past, the default answer did tend to be 'no', but this has changed significantly in recent years, and more licences are now being granted. This is partly due to the cultural change in the diving community regarding respectful wreck diving, but also because of the advances in imagery. It is recognised that divers visiting these sites and taking imagery and sharing the story of the wreck helps to ensure they are not forgotten. Non-intrusive surveys conducted at sites such as HMS ROYAL OAK by external companies are an invaluable source of information for the MOD and assist in their appropriate management.

17. How do I obtain a licence to dive a Controlled Site?

17.1. Applications should be submitted to Royal Navy Heritage: NavyStratPol-SEC3RDSECTOR@mod.gov.uk. Applications are considered on a case-by-case basis, and you will need to provide a full project plan. As a minimum, the project plan must include a business case, project brief/detail, aims and objectives, health and safety risks and risk mitigation and dates, as a licence cannot be open ended. Some of the Controlled Sites still have munitions present, so permission to dive these sites is usually only granted under RN supervision, which mean licences are limited for safety reasons.

18. Can I enter a wreck that is a Protected Place?

18.1. The Act states a diver shall not enter a hatch or opening that enclose any part of the interior of the vessel. In practical terms, this means that a diver shall not enter a compartment within the wreck. Swim throughs of open areas of the wreck (i.e. where the outside can always be seen) and open cargo holds would not constitute the interior of the vessel, so it would be okay for divers. However, if a diver enters a fully enclosed area, and/or lays lines to penetrate the vessel, this would be a contravention.

19. What does “not disturb” a wreck mean? Can I touch the wrecks?

- 19.1. The word “disturb” doesn’t feature in the Act, but this has been commonly used in recent speculation about the proposed changes. The exact wording is that a person will be in contravention of the Act if they “tamper, damage, move, remove or unearth the remains”. “Remains” not only refers to human remains it is also defined as any part of the vessel, including cargo, munitions, apparel or personal effects which were onboard during the final voyage.
- 19.2. There is provision within the Act that if a contravention occurs that was urgently necessary in the interests of safety, then this would not constitute an offence.
- 19.3. So, in the interest of safety, a diver may touch a wreck, providing they don’t tamper with or damage it. Thus, gently touching to regain buoyancy, accidental movement of part of a wreck (i.e. fin kick) or settling on the wreck to deal with an emergency would not be considered a contravention and divers are not likely to be prosecuted.

20. What about shot lines? Will I be prosecuted for shotting a wreck?

- 20.1. MOD is aware of the practice of shotting a wreck, and that it is a well-established safety procedure for accessing wreck sites. MOD is not intending to prosecute divers / skippers who carry out this procedure in the interests of safety. Upmost care should be taken to avoid damaging wrecks using shots, by not using overly excessive weights, avoiding repeatedly shotting the same area and, if possible, biasing the shot the side of the wreck on the seabed.

21. What if I accidentally enter the wreck? Will I be prosecuted?

- 21.1. Divers should take the utmost care when exploring military shipwrecks, however, it is recognised that visibility may be as such that it may be unclear to a diver if they have inadvertently entered a wreck. In these cases, this would not likely warrant prosecution, however, it goes without saying that this is a serious safety issue and divers should take upmost care to avoid this situation.

22. If I lift an object to identify an unknown wreck and it later transpires that it is a military wreck, will I be prosecuted?

- 22.1. If there was no way of knowing that the wreck was in military service at the time of loss, and it later transpires that this is the case, it is unlikely an individual will be prosecuted. However, if believing, or there are reasonable grounds to suspect that, a wreck was in military service at the time of loss, then it would be a contravention of the Act to remove anything from the site and may be subject to prosecution.

23. It is impossible to monitor every wreck; how will this be enforced?

- 23.1. The MOD does have a system in place to monitor vulnerable wreck sites; however, it is true that every wreck cannot be monitored at all times, but that doesn’t mean our military shipwrecks shouldn’t be protected. Giving military shipwrecks Protected Place status will serve to act as a deterrent, and if any breaches come to light, then the means by which to enforce the Act will be in

place. If any breaches of the Act are observed, then they should be reported to Royal Navy Heritage: NavyStratPol-SEC3RDSECTOR@mod.gov.uk

24. Why not just leave things as they are?

- 24.1. Whilst most divers are respectful these days, there are still some who are not. By applying the protection automatically from the outset, it means wrecks can be given greater levels of protection. There have been recent cases of artefacts being lifted from military wrecks, and because no protection was in place, this was legal. Once an artefact is lifted and declared to the official Receiver of Wreck, it is difficult to simply 'put it back', and thus it presents the authorities with a dilemma of what to do with it. Whilst some make the argument for '*it being better in a museum*' sadly many museums are overstocked, and so the artefacts end up in storage or in the hands of private owners. It is far better for artefacts to be left in situ, so that they can be preserved in place. If it is deemed an artefact is of significance and at risk, then an application can be made to recover it. For these cases, a Project Management Plan is required and will be assessed by subject matter experts to ensure that any activities directed at the site and its artefacts comply with the rules of the Annex to the UNESCO 2001 Convention on the Protection of Underwater Cultural Heritage and that accepted archaeological principles have been adopted and will be followed.

25. Can I still spidge?

- 25.1. Under the proposed changes, it will no longer be permissible to spidge as shipwrecks that were in military service at the time of loss will become Protected Places (unless already designated as a Controlled Site), and it is a contravention of the Act to remove anything from the wreck site.

26. What about the Protection of Wrecks Act 1973 (PWA)? Is that the same thing?

- 26.1. No, the PWA is a separate piece of legislation. Section 1 of the Act allows for the designation of wrecks which are of historical, artistic or archaeological importance.
- 26.2. Details of Protected Wrecks in waters adjacent to England can be found on the National Heritage List for England - <https://historicengland.org.uk/listing/the-list/>
- 26.3. Details of Protected Wrecks in waters adjacent to Wales can be found here - <https://cadw.gov.wales/advice-support/historic-assets/conservation-areas-other-historic-assets/other-historic-assets#section-wrecks-of-wales>
- 26.4. There is one Protected Wreck in waters adjacent to Northern Ireland - <https://www.daera-ni.gov.uk/articles/historic-wrecks-daera#toc-2>

27. What about wrecks protected under PWA? Can I still dive under PWA?

- 27.1. If a wreck has been afforded additional protection under the PWA, a PWA licence to dive will be required. Historic England has recently published updated guidance on how to access England's Protected Wreck sites - <https://historicengland.org.uk/images-books/publications/accessing-englands-protected-wreck-sites-guidance-notes/>

- 27.2. Access to Protected Wrecks in waters adjacent to England is administered by Historic England on behalf of the Department for Culture, Media and Sport (DCMS). Details on applying for a licence can be found here - <https://historicengland.org.uk/advice/planning/consents/protected-wreck-sites/applying-for-licensing/>
- 27.3. Access to Protected Wrecks in waters adjacent to Wales is administered by Cadw. Details on applying for a licence can be found here - <https://cadw.gov.wales/advice-support/historic-assets/conservation-areas-other-historic-assets/other-historic-assets#section-wrecks-and-wreck>
- 27.4. Access to La Girona, a Protected Wreck in waters adjacent to Northern Ireland is administered by the Department of Agriculture, Environment and Rural Affairs. Details of applying for a licence can be found here - <https://www.daera-ni.gov.uk/articles/historic-wrecks-daera#toc-2>
- 27.5. In 2010, PWA was replaced by the Marine (Scotland) Act and no longer applies. Wrecks in Scotland are now protected as Historic Marine Protected Areas (see separate section below).

28. Historic Marine Protected Areas

- 28.1. Historic Marine Protected Areas (MPAs) are sites of national importance in Scottish territorial waters, often including shipwrecks. In Scotland, they have replaced the use of Section 1 of the Protection of Wrecks Act 1973. Designation as a Historic MPA helps protect these sites from illicit salvage and damage, while still allowing recreational divers to visit on a 'look but don't touch' basis. More information on Historic MPAs can be found on Historic Environment Scotland's What is a Marine Protected Area? Historic Environment Scotland and information on where they are located can found on Historic Environment Scotland's Designations Map Search.
- 28.2. The term 'marine historic assets' is defined in law and can include a wide range of human-made remains, such as wrecked vessels, aircraft, and more dispersed material like artefact groups on the seabed from submerged prehistoric landscapes.
- 28.3. In these areas you cannot:
- 28.3.1. intentionally or recklessly remove, alter, or disturb a marine historic asset;
 - 28.3.2. carry out activities that damage or interfere with a marine historic asset; or
 - 28.3.3. undertake activities that significantly affect a Historic MPA so that its preservation objectives are hindered.
- 28.4. You do not need a specific type of consent to carry out works within a Historic MPA, but you may need a marine licence. Marine licences are administered by the Scottish Government, and applications should be made to Marine Scotland's Licensing Operations Team.

29. Scheduled shipwreck sites

- 29.1. Scheduling a shipwreck site means it is recognised as a nationally important archaeological site and is closely managed. Scheduling protects these sites from illicit salvage and damage while allowing unrestricted access to recreational divers, on a look but don't touch basis.
- 29.2. Scheduling derives its authority from the Ancient Monuments and Archaeological Areas Act 1979. Under the terms of this Act, the Secretary of State has a duty to compile and maintain a schedule of monuments of national importance. Anyone who wishes to undertake intrusive activity, including the recovery of artefacts or structural remains, on a scheduled site would be required to obtain Scheduled Monument Consent in advance. Please see figure 4 for a list and map of scheduled wrecks, further information can be found here: [Accessing England's Protected Wreck Sites](#).
- 29.3. Further advice regarding what it means when a monument is scheduled and what requires consent can be obtained from the relevant local Historic England team. For further information on Scheduled Monument Consent, see [Scheduled Monuments: A Guide for Owners and Occupiers](#).

30. What about wrecks that are located within the home countries waters?

- 30.1. As mentioned above, wrecks located in UK territorial waters may be separately protected under heritage legislation administered by the relevant devolved body. This applies across all four nations:
 - 30.1.1. Scotland: Historic Environment Scotland (HES) — (<https://portal.historicenvironment.scot/apex/f?p=PORTAL:HOME:::>)
 - 30.1.2. Wales: Cadw — (<https://cadw.gov.wales/advice-support/cof-cymru/search-cadw-records>)
 - 30.1.3. Northern Ireland: Historic Environment Division (HED) — [communities-ni.gov.uk/articles/historic-wrecks]
 - 30.1.4. England: Historic England — [historicengland.org.uk/listing/the-list]
- 30.2. Where a wreck is a Scheduled Monument, the restrictions are typically more stringent than Protected Place status and may limit activities beyond physical contact. Divers should check the relevant national register before diving any potentially historic wreck in UK waters.
- 30.3. These checks can be done online via each body's public database and do not require direct contact in most cases. Where a site is not listed and doubt remains, contact the relevant body directly.

31. Where will the Act apply? What about UK military wrecks outside UK TTW?

- 31.1. The changes will mean that wrecks that were in military service with the UK at the time of loss, and are in UK Territorial or International Waters, will be considered a Protected Place. The Act does not apply to wrecks that are inside the TTW of another nation; for example, the SS Thistlegorm is in Egyptian TTW, so the Act would not apply.
- 31.2. For protected wrecks that are in International Waters, the Act is limited due to international law, and it only applies to divers who are British citizens, or the dives are being conducted from a ship registered in the UK. So, they will be in contravention of the Act if they “tamper, damage, move, remove or unearth the remains” or “enter a hatch or opening that enclose any part of the interior of the vessel”. In essence, the same guidance applies as above (‘look, but don’t touch’ or enter the interior’)
- 31.3. Where the MOD have evidence of desecration of any wreck that was in military service at the time of their loss, appropriate action will be taken, this includes working with regional Governments, Authorities and partners (in the UK and overseas) to prevent inappropriate activity at such sites.

32. Didn’t the Navy sell wrecks for salvage in the past?

- 32.1. Yes, there was a time when the RN did sell wrecks for scrap, but times were culturally different and the practice is no longer carried out today. In 1955, the Admiralty Board reconsidered its policy of selling wrecks for scrap and decided that wrecks known to contain human remains would be left untouched, unless there were special circumstances (e.g. danger to navigation). In all cases the salvors needed to provide guarantees that every care would be taken to minimise disturbance to any human remains. Whilst assurances were welcome, it was not enforceable by law and is one of the reasons the PMRA was introduced in 1986.

33. But the number of Controlled Sites has just been increased? Aren’t these proposed changes just a stepping stone to make it easier to close off more wrecks to divers?

- 33.1. The recent additions are part of the legislation as it currently stands - designations under PMRA are done in tranches, via Statutory Instrument. Military vessels are nominated for designation via a variety of routes, such as new discoveries, reports of unauthorised salvage, requests from the vessel’s Flag State and individuals, with the additions and amendments to wrecks designated as Controlled Sites (and Protected Places) under tranche 8 of the PMRA, which came into effect on the 31 March 2026.
- 33.2. The proposed changes in the Armed Forces Bill aim to make this process easier and apply greater protections by automatically protecting wrecks that were in military service. There will still be a list of designated Controlled Sites, but the majority of military wrecks will be a Protected Place.
- 33.3. It is hoped that wrecks being a Protected Place by default will act as a deterrent, however, some vessels may also need extra protection (e.g. safety concerns, protection from illegal salvage). Should an offence occur on a wreck that is a

Protected Place, it does not then mean that the wreck site will be made a Controlled Site, as it is recognised that the vast majority of divers are respectful. Any wrecks considered for designation as a Controlled Site, will be assessed on a case-by-case basis thereby ensuring the appropriate level of protection is applied.

34. Where can I get advice on the Protection of Military Remains Act (1986)?

- 34.1. Please contact Royal Navy Heritage NavyStratPol-SEC3RDSECTOR@mod.gov.uk