

2014 No. 1353

TERRITORIAL SEA

The Territorial Sea (Baselines) Order 2014

Made - - - - 27th May 2014

Coming into force - - 30th June 2014

At the Court at Buckingham Palace, the 27th day of May 2014

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by section 1(1)(b) of the Territorial Sea Act 1987(a), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1.—(1) This Order may be cited as the Territorial Sea (Baselines) Order 2014 and shall come into force on 30th June 2014.

(2) The Territorial Waters Order in Council 1964(b) and the Territorial Waters (Amendment) Order in Council 1998(c) are revoked.

Baselines

2.—(1) Except as provided in Article 3 of this Order, the baselines from which the breadth of the territorial sea adjacent to the United Kingdom, the Channel Islands and the Isle of Man shall be established in accordance with the relevant provisions of the United Nations Convention on the Law of the Sea (Cmnd 8941), as modified and set out in Schedule 1 to this Order,

(2) In Schedule 1 to this Order, except in the phrase “low-water line”, the word “line” means a geodesic line.

3.—(1) The baseline from which the breadth of the territorial sea is measured between Cape Wrath and Laggan shall consist of the geodesic lines drawn so as to join successively, in the order in which they are there set out, the points identified by the co-ordinates of latitude and longitude in the first column of Schedule 2 to this Order, each being a point on the low-water line and on or adjacent to the feature named in the second column of that Schedule.

(2) In Schedule 2 to this Order, all positions given by means of coordinates are defined on World Geodetic System 1984 Datum (WGS84).

(a) 1987 c.49; section 1 of the Territorial Sea Act 1987 was extended to the Isle of Man by the Territorial Sea Act 1987 (Isle of Man) Order 1991 (S.I. 1991/1722); to Jersey by the Territorial Sea Act 1987 (Jersey) Order 1997 (S.I. 1997/278) (as amended by the Territorial Sea Act 1987 (Jersey) (Amendment) Order 2002 (S.I. 2002/250)); and to Guernsey by the Territorial Sea Act 1987 (Guernsey) Order 2014 (S.I.2014/1105)

(b) 1965 III, p. 6452A.

(c) S.I. 1998/2564.

SCHEDULE 1

Article 2

RELEVANT PROVISIONS OF THE UNITED NATIONS
CONVENTION ON THE LAW OF THE SEA, WITH
MODIFICATIONS

*Note: modifications to the provisions of the United Nations Convention on the Law of the Sea are indicated in **bold** and omissions by dots.*

Article 5

Normal Baseline

Except where otherwise provided in **the provisions of this Convention specified below**, the normal baseline for measuring the breadth of the territorial sea is the low-water line along the coast.....

Article 9

Mouths of Rivers

If a river flows directly into the sea, the baseline shall be a straight line across the mouth of the river between points on the low-water line of its banks.

Article 10

Bays

1. This article relates only to bays the coasts of which belong to a single State.
2. For the purposes of this Convention, a bay is a well-marked indentation whose penetration is in such proportion to the width of its mouth as to contain land-locked waters and constitute more than a mere curvature of the coast. An indentation shall not, however, be regarded as a bay unless its area is as large as, or larger than, that of the semi-circle whose diameter is a line drawn across the mouth of that indentation.
3. For the purpose of measurement, the area of an indentation is that lying between the low-water mark around the shore of the indentation and a line joining the low-water mark of its natural entrance points. Where, because of the presence of islands, an indentation has more than one mouth, the semi-circle shall be drawn on a line as long as the sum total of the lengths of the lines across the different mouths. Islands within an indentation shall be included as if they were part of the water area of the indentation.
4. If the distance between the low-water marks of the natural entrance points of a bay does not exceed 24 nautical miles, a closing line may be drawn between these two low-water marks, and the waters enclosed thereby shall be considered as internal waters.
5. Where the distance between the low-water marks of the natural entrance points of a bay exceeds 24 nautical miles, a straight baseline of 24 nautical miles shall be drawn within the bay in such a manner as to enclose the maximum area of water that is possible with a line of that length.
6. The foregoing provisions do not apply in any case **where Article 3 of this Order applies**.

Article 11

Ports

For the purpose of delimiting the territorial sea, the outermost permanent harbour works which form an integral part of the harbour system are regarded as forming part of the coast. Off-shore installations and artificial islands shall not be considered as permanent harbour works.

Article 12

Roadsteads

Roadsteads which are normally used for the loading, unloading and anchoring of ships, and would otherwise be situated wholly or partly outside the outer limit of the territorial sea, are included in the territorial sea.

Article 13

Low-tide elevations

1. A low-tide elevation is a naturally formed area of land which is surrounded by and above water at low tide but submerged at high tide. Where a low tide elevation is situated wholly or partly at a distance not exceeding the breadth of the territorial sea from the mainland or an island, the low-water line on that elevation may be used as the baseline for measuring the breadth of the territorial sea.

2. Where a low-tide elevation is wholly situated at a distance exceeding the breadth of the territorial sea from the mainland or an island, it has no territorial sea of its own.

Article 121

Regime of Islands

1. An island is a naturally formed area of land, surrounded by water, which is above water at high tide.

SCHEDULE 2

Article 3

POINTS BETWEEN CAPE WRATH AND LAGGAN JOINED BY GEODESIC LINES TO FORM BASELINES

	<i>Latitude North</i>	<i>Longitude West</i>	
1	58° 37'.642	5° 00'.295	Cape Wrath
2	58° 31'.173	6° 15'.752	Lith-Sgeir
3	58° 30'.707	6° 16'.985	Gealltuig
4	58° 29'.123	6° 20'.350	Dell Rock
5	58° 18'.442	6° 47'.812	Tiumpan Head
6	58° 17'.575	6° 52'.778	Màs Sgeir
7	58° 17'.125	6° 55'.395	Old Hill
8	58° 14'.475	7° 02'.160	Gallan Head
9	58° 13'.992	7° 03'.010	Islet SW of Gallan Head
10	58° 10'.625	7° 06'.960	Eilean Molach
11	57° 59'.110	7° 17'.757	Gasker
12	57° 41'.295	7° 43'.268	Haskeir Eagach
13	57° 32'.347	7° 44'.018	Huskeiran
14	57° 14'.532	7° 27'.787	Rubha Ardvule
15	57° 00'.817	7° 31'.752	Greub Head
16	56° 58'.102	7° 33'.452	Doirinn Head

17	56° 56'.935	7° 34'.335	Aird a'Chaolais
18	56° 56'.068	7° 34'.968	Biruaslum
19	56° 49'.335	7° 39'.583	Guarsay Mór
20	56° 47'.985	7° 40'.000	Sròn an Dùin
21	56° 47'.102	7° 39'.650	Skate Point
22	56° 19'.273	7° 07'.087	Skerryvore
23	56° 07'.958	6° 38'.057	Dubh Artach
24	55° 41'.595	6° 32'.090	Frenchman's Rocks
25	55° 40'.395	6° 31'.040	Orsay Island
26	55° 35'.397	6° 20'.358	Mull of Oa
27	55° 17'.950	5° 47'.962	Mull of Kintyre
28	54° 58'.485	5° 11'.183	Laggan

EXPLANATORY NOTE

(This note is not part of the Order)

This Order establishes the baselines from which the breadth of the territorial sea adjacent to the United Kingdom, the Channel Islands and the Isle of Man is measured in accordance with the United Nations Convention on the Law of the Sea. It applies the relevant provisions of the United Nations Convention, with modifications, as set out in Schedule 1. The baseline is generally the low-water line around the coast, including the coast of all islands.

Between Cape Wrath and Laggan a straight baseline system is established in accordance with Article 7 of the Convention; this is defined by a series of straight lines joining specified points lying on the low-water line generally on the seaward side of the islands lying off the coast. Elsewhere, where there is a bay, a line not exceeding 24 nautical miles in length is drawn across the bay and will constitute the baseline.

The limits of the territorial sea derived from these baselines are shown on Admiralty Charts published by the UK Hydrographic Office and obtainable from Admiralty Chart agents.

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