



Advice to the Public on Ireland's Underwater Archaeological Heritage

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Rialtas na hÉireann
Government of Ireland



Above: Archaeologist from the National Monuments Service recording a logboat as part of ongoing archaeological survey of Lough Corrib, Co. Galway.

Cover Image: Archaeologist from the National Monuments Service recording a possible medieval wreck, with its cargo of cut timber rods in Lough Corrib.

Advice to the Public on Ireland's Underwater Archaeological Heritage

How we can all play a part in protecting our extraordinary legacy of underwater wrecks, monuments and artefacts



The wreck of the *Sunbeam* on Rossbeigh Beach, Co. Kerry. Driven ashore and wrecked in 1904, it became a notable landmark but storms in 2014 lifted, broke up and scattered the remains across the strand. The National Monuments Service, along with the local community and archaeological professionals, worked together to record the remains before they were lost.

Ireland's seas, lakes and rivers contain an immense wealth of archaeological sites, wrecks and objects. Generally referred to as underwater archaeological heritage, this irreplaceable and fragile part of our culture needs to be carefully looked after to ensure it is preserved and protected so that it can be enjoyed and studied by current and future generations. This leaflet highlights how we can all play our part in making sure this happens.

What is our underwater archaeological heritage?



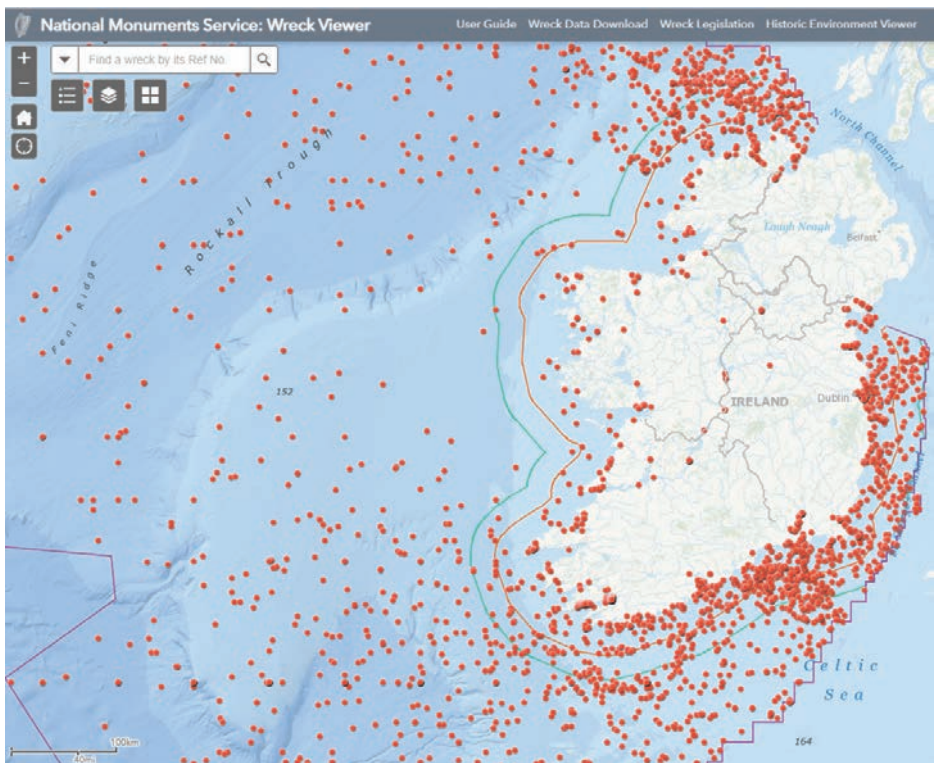
Archaeologist inspecting a pair of bronze guns from the remains of the Spanish Armada wreck of *La Juliana*, lost off Streedagh Strand, Co. Sligo in 1588.

The entire history of human settlement in Ireland is represented in our underwater archaeological heritage and includes:

- shipwrecks and logboats
- lake settlements (*crannogs*)
- prehistoric landscapes that are now covered by the sea
- fish-traps and weirs
- ancient bridges
- human and animal skeletal remains
- archaeological objects of all periods and types made variously of stone, bone, metal, ceramic as well as organic materials such as wood, leather and textiles

With over 18,000 documented losses, shipwrecks are the most abundant type of underwater archaeological site found in Irish coastal waters, rivers and lakes. Wrecks include ancient logboats and wooden sailing, fishing and trading vessels, steamships, ocean-liners and ships and submarines connected with both world wars. You can find information on these and other underwater archaeological sites online at: www.archaeology.ie

...shipwrecks are the most abundant type of underwater archaeological site...



The National Monument Service's online Wreck Viewer shows the location of known wreck sites from around the coastal area of Ireland. As new discoveries are made the number of recorded wrecks is increasing all the time.

Why protect underwater archaeological heritage?



A pair of 15th-century fish traps (Boarland Rock 1 and 2) in the Fergus estuary, Co. Clare
(© The Discovery Programme and courtesy of Aidan O'Sullivan).

Archaeology is the study of the human past through its material remains and it allows us to appreciate who we are and where we have come from as a people in a way that often extends far beyond the reach of historical records. Ireland's underwater heritage is a vitally important branch of archaeology, chiefly because the underwater world can afford remarkable levels of preservation to archaeological remains, far and beyond what is generally seen on dry land. For example, artefacts, wrecks and logboats that are thousands of years old have been found in pristine conditions, allowing archaeologists unique insights into how they were made, appeared and were used in the distant past. Underwater archaeological heritage also provides a unique dimension to our identity as an island people that for millennia relied on its marine and freshwater environments for food, resources, trade and communications.



The wreck remains of an early 17th-century armed ship were investigated by the National Monuments Service following its discovery in 2009 by local divers off Rutland Island, Co. Donegal. A suite of artefacts including a wooden bowl and lead shot were recovered from the wreck (inset).

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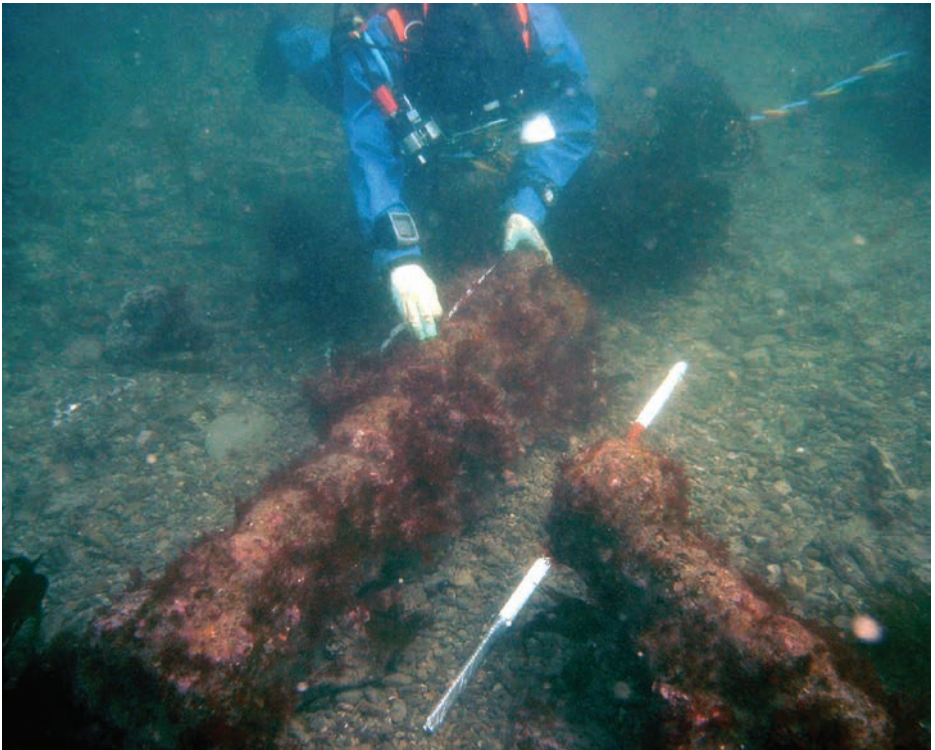
What are the potential threats to underwater archaeological heritage?



In the Middle Bronze Age this wooden trough on Lippa Strand, Spiddal, Co. Galway was well inland but rising sea-levels brought about by climate change have resulted in its inundation by the sea. Exposed following storm impact, fragile sites such as these need to be rapidly excavated and recorded in order to prevent their loss to research.

Because most of our underwater archaeological heritage is of wood and other organic materials such as leather and basketry, it becomes extremely vulnerable to damage and decay once exposed to the elements. Therefore, it needs to be treated with the utmost care and only by trained professionals so that the material and its vital scientific information are not lost.

Storms, flooding events and droughts, which are becoming increasingly common and severe as a result of climate change, can result in damage to underwater heritage and in wrecks, logboats, loose ship timbers and artefacts becoming newly revealed. Construction and other development works that are to be undertaken within areas of water can also have a detrimental effect and need to be carefully considered. It is also the case that damage can be caused, often inadvertently, to submerged sites and objects by non-archaeological divers and other recreational users of our seas and waterways, if appropriate care is not taken.



Cannon from a 17th-century wreck in Dunworley Bay, Co. Cork. Prior to the investigations by the National Monuments Service, this important site was damaged during unlicensed activity, resulting in a loss of vital information on the wreck.

How is underwater archaeological heritage protected in Ireland?



The National Monuments Service carrying out a licenced metal detection survey on a logboat, as part of their archaeological investigations in Lough Corrib, Co. Galway.

The National Monuments Acts 1930 to 2014 provide our underwater archaeological heritage with the following legal protections:

- All wrecks over 100 years old and underwater archaeological objects are comprehensively protected and appropriate licences are legally required to survey, dive on or interfere with (including excavate) a protected wreck site or an underwater archaeological object.
- The discovery of wrecks more than 100 years old must be reported to the National Monuments Service or a member of An Garda Síochána within four days of discovery.
- The discovery of archaeological objects must be reported to the National Museum of Ireland or other legally designated person within four days of discovery.
- In addition to the general protection of wrecks over 100 years old, Underwater Heritage Orders can also be made, including in relation to wrecks less than 100 years old.

- Use of a detection device (metal detector) to search for archaeological objects anywhere (including underwater) requires a consent.
- Marine salvage operations, many of which specifically target historic wrecks, may also fall within the National Monuments Acts 1930 to 2014 and the necessary licences must be obtained in advance from the National Monuments Service.
- The alteration or export of archaeological objects requires a licence from the Board of the National Museum of Ireland. Please note that parts of the structure of a wreck as well as objects found within or around a wreck may be archaeological objects.

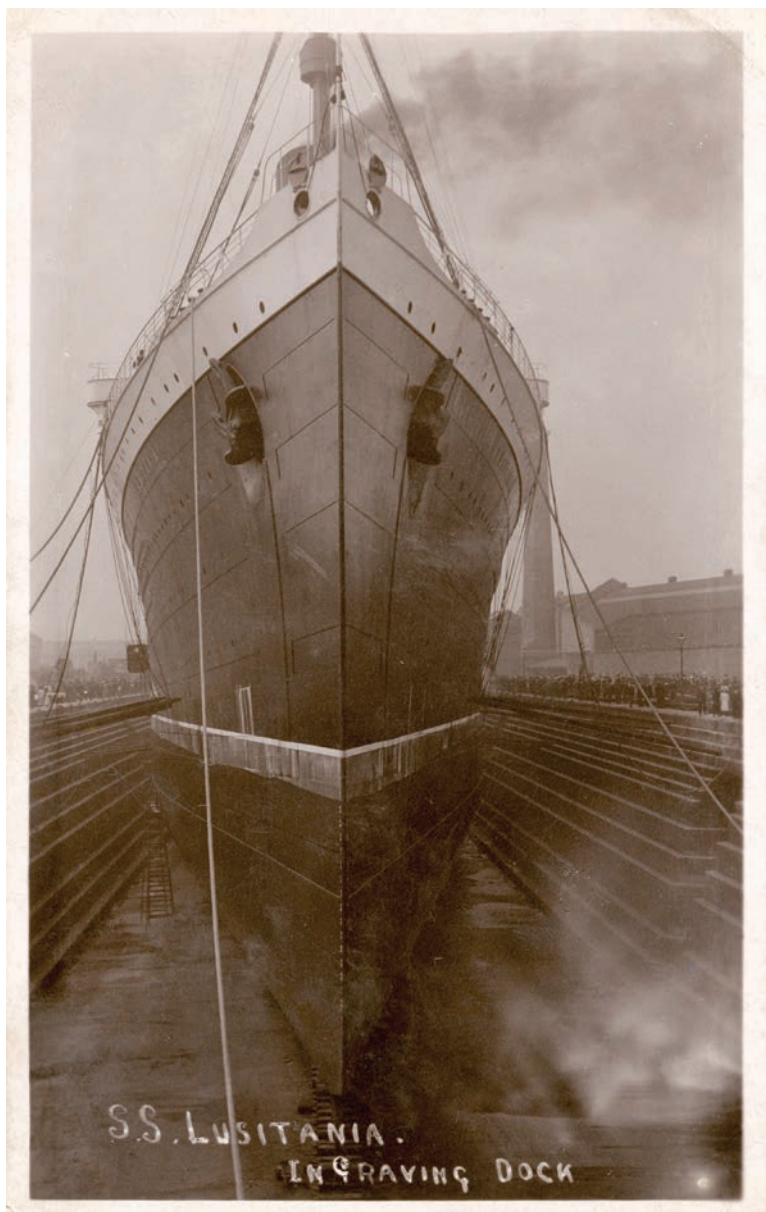
Applications for excavation, survey, dive licences and detection consents should be made to the National Monuments Service, as should reports of finds of wrecks more than 100 years old. Reports of finds of archaeological objects should be made to the National Museum of Ireland, as well as applications to alter or to export archaeological objects.

Many wrecks are also the last resting places of people who perished when the vessel was lost...

Breach of the National Monuments Acts 1930 to 2014 is a serious matter and could lead to criminal prosecution and the imposition of penalties, if convicted.

We can enjoy recreational dives on wrecks or archaeological objects once we follow the National Monuments Acts and the necessary licences and consents have been first granted by the National Monuments Service. If the age of a wreck is unclear prior to diving, it is best to assume it is over 100 years old and legally protected.

Many wrecks are also the last resting places of people who perished when the vessel was lost and they should, accordingly, be treated with the utmost respect. If in the course of a dive, a new wreck or archaeological object is discovered, following its reporting to the relevant authorities, a licence should be obtained in advance of any additional dives being undertaken.



Postcard image of the RMS *Lusitania* in its heyday before it was sunk by a German U-boat off the Cork coast in 1915. The wreck and surrounding seabed is subject to an Underwater Heritage Order placed on it in 1995 and protected under the 100-year rule of the National Monuments Acts 1930-2014 (© Ian Lawler Collection).

Who manages and protects underwater archaeological heritage in Ireland?



Excavation or interference with wrecks over 100 years old requires a licence under the National Monuments Act 1930-2014. For example, a licence to excavate was required to investigate a large gun-carriage wheel from the Spanish Armada wreck of *La Juliana* in advance of its recovery from the seabed, along with a number of other important artefacts, in 2015.

We can all protect our underwater archaeological heritage. Public authorities and professionals such as archaeologists, architects and engineers play an important role, but everybody can play their part in making sure the resource is protected and preserved. The diving community has a particularly crucial responsibility in this regard by not disturbing wrecks, underwater sites and objects, and by reporting any new discoveries and any damage or fresh information noted in relation to previously recorded wrecks.

Chance discoveries of archaeological objects and wrecks can also be made by, for example, beach walkers or fishermen when hauling in nets, and the reporting of all such discoveries to the relevant authorities, so that they can be fully documented and protected, is greatly appreciated.

The National Monuments Service, on behalf of the Minister for Housing, Local Government and Heritage, manages, protects and promotes Ireland's underwater archaeological heritage. Through the assessment and issuing of licences and consents, activities like prospecting and diving are regulated (see above). The National Monuments Service also issues recommendations on development proposals to ensure underwater heritage is protected.

The National Monuments Service cooperates closely with the National Museum of Ireland, which plays an important part in protecting underwater archaeology by means of its role in the safeguarding of all archaeological objects, whether in situ or following removal from their original context. The National Museum of Ireland is also the national repository for archaeological objects, including those found underwater and can facilitate loans and displays of objects in certain designated regional museums. The National Museum of Ireland's Conservation Department plays a key role in the conservation and long term safeguarding of archaeological objects from underwater contexts.



Licensed archaeological monitoring of dredging works, as required by the National Monuments Service, has led to significant discoveries, including the 'Coconut Wreck', the remains of an early 17th-century ship carrying a cargo of coconuts which was lost outside Schull Harbour, Co. Cork (© Mizen Archaeology Ltd).

Who owns finds of underwater archaeological objects?

Archaeological objects found in the State (on land or underwater) are State property unless the original owner can be identified. The National Museum of Ireland is the State's repository for all archaeological objects.

People who take possession of a wreck or other related objects found on the seabed have a legal duty to report them to the local Receiver of Wreck (see the Merchant Shipping (Salvage and Wreck) Act 1993). It is strongly recommended that the applicability of this provision in any particular case is checked with the relevant Receiver. Where no owner can be traced within the statutory period, the Director of the National Museum of Ireland may claim a wreck considered to be of archaeological or historical importance on behalf of the State.



Above right: One of a pair of anchors from the remains of the German gun-running ship SS AUD, which was scuttled in Cork Harbour in 1916. The wreck is in the ownership of the State and the anchors were recovered in 2011 during the course of a licensed collaborative project involving divers, professional archaeologists, the local communities in Cobh and Tralee and Cork County Council.



Opposite left: Hiberno-Norse battle-axes recovered by the National Monuments Service during the excavation of a medieval logboat in Lough Corrib (Image courtesy of the National Museum of Ireland).

How to play your part in protecting underwater archaeological heritage

- Please enjoy, explore and research Ireland's extraordinary underwater archaeological heritage and play your part in its protection and preservation by complying with the National Monuments Acts 1930 to 2014 and other applicable legislation.
- Please get appropriate licences from the National Monuments Service to survey, dive or excavate on a protected wreck site or archaeological objects.
- Please get a licence or consent (as needed) to excavate or use detection equipment at a protected wreck site or to look for archaeological objects.
- Please ensure that protected wrecks, underwater archaeological sites or archaeological objects are not inappropriately or illegally tampered with, damaged, salvaged or removed.
- Please report any new discoveries of wrecks to the National Monuments Service or An Garda Síochána.
- Please report any new discoveries of archaeological objects to the National Museum of Ireland or another legally designated person.

Contact Details:

National Monuments Service

G50

Custom House

Dublin 1

D01 W6X0

Email: nationalmonuments@housing.gov.ie

Tel: 01 888 2000

www.archaeology.ie

The Duty Officer

National Museum of Ireland

Kildare Street

Dublin 2

D02 FH48

Email: antiquitiesdo@museum.ie

Tel: 01-6777444

www.museum.ie



The remains of the World War I German mine-laying submarine *UC-42*, which was lost off Cork Harbour in 1917. Collaboration with the diving community is invaluable in providing new information on discoveries and the conditions of underwater archaeological sites (© Tom Brett).



Multibeam image of the wreck of the German *UC-42* submarine, lying on the sea-bed off the coast of Co. Cork. This is one of many such images produced by the INFOMAR project, which is mapping the sea-bed around the coast of Ireland and it highlights the benefits of collaborations between agencies (Image courtesy of INFOMAR/Geological Survey Ireland/Marine Institute).

Further Information

This leaflet is intended only as a general guide to good practice and to draw attention to key provisions of the National Monuments Acts 1930 to 2014. It is not intended as a legal interpretation of those Acts. The full text of the National Monuments Acts 1930 to 2014, and legislation relating to underwater archaeology and the discovery and reporting of archaeological objects, is available at: www.irishstatutebook.ie

Advice to the Public on Use of Metal Detection Devices and their Impact on our Archaeological Heritage (Department of Housing, Local Government and Heritage and the National Museum of Ireland). See <https://www.archaeology.ie/sites/default/files/media/publications/advice-on-use-of-metal-detection-devices.pdf>

Framework and Principles for Protection of the Archaeological Heritage. See <https://www.archaeology.ie/sites/default/files/media/publications/framework-and-principles-for-protection-of-archaeological-heritage.pdf>

Archaeology in the Planning Process. See: <https://www.archaeology.ie/sites/default/files/media/publications/archaeology-planning-process-pl13.pdf>

The Underwater Archaeology Unit maintains the Wreck Viewer and Wreck Inventory of Ireland Database, which holds records of over 18,000 known and potential wreck sites and this is used as a tool to help manage and protect historic wrecks. The online Wreck Viewer is available at: <https://www.archaeology.ie/underwater-archaeology/wreck-viewer>



An Roinn Tithíochta,
Rialtais Áitiúil agus Oidhreacht
Department of Housing,
Local Government and Heritage



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Appendix

Key points to know about the National Monuments Acts 1930 to 2014 are:

Where the law applies

The Acts extend as a minimum to the whole area of the State, including inland and internal waters and the Territorial Sea (the “12 mile limit”). In addition, anyone undertaking activities within what is known as the Contiguous Zone (the “24 mile limit”) needs to comply with the provisions of the legislation relating to legal protection for wrecks over 100 years old and underwater archaeological objects.

When you need a licence or consent

- Diving on, surveying of, damage to or removal of anything from wrecks over 100 years old, underwater archaeological objects or areas subject to Underwater Heritage Orders must only be done under licence (section 3 National Monuments (Amendment) Act 1987). Note “Surveying” as referred to above may extend to remote sensing equipment.
- Any digging or excavating for archaeological purposes (whether or not on a known archaeological site and including underwater) requires a licence (section 26 National Monuments Act 1930).
- Use of a detection device to search for archaeological objects requires a consent, as does possession of such a device on a monument protected under the National Monuments Acts or within an area subject to an Underwater Heritage Order (see Section 2 National Monuments (Amendment) Act 1987). The term ‘archaeological object’ is defined in the National Monuments Act 1930 to 2014 and has a broad meaning in terms of type and age of objects. Commonplace objects of relatively recent date may fall within the category of ‘archaeological object’. Such objects may come within the terms of the definition regardless of their date and degree of antiquity.
- Alteration of an archaeological object (including cleaning of such an object) requires a licence from the National Museum of Ireland (section 25 National Monuments Act 1930, as amended).
- Export of an archaeological object outside of the State (which includes bringing such an object into Northern Ireland) requires a licence from the National Museum of Ireland (section 50 National Cultural Institutions Act 1997).

What to do when you make an underwater discovery

Discoveries of wrecks over 100 years old must be reported to the National Monuments Service or An Garda Síochána within four days. Reports of new discoveries of archaeological monuments are also very much appreciated by the National Monuments Service.

The discovery of archaeological objects must be reported to the National Museum of Ireland or another legally designated person within four days of discovery.



Divers recording the deep-water wreck
remains of the World War I troopship
HMS *Justicia*, lost off Donegal in 1918
(© Pat Coughlan).



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