



Historic Environment (Wales) Act 2023

2023 asc 3

HISTORIC ENVIRONMENT (WALES) ACT 2023

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- 1 Settled Land Act 1925 (c. 18)
- 2 Historic Buildings and Ancient Monuments Act 1953 (c. 49)
- 3 Omit section 4.
- 4 In section 4A— (a) in the heading, for “section 4”...
- 5 (1) In section 5, after subsection (5) insert—
- 6 Omit section 6.
- 7 In section 8, after subsection (7) insert—
- 8 Land Powers (Defence) Act 1958 (c. 30)
- 9 Public Health Act 1961 (c. 64)
- 10 Compulsory Purchase Act 1965 (c. 56)
- 11 Mines (Working Facilities and Support) Act 1966 (c. 4)
- 12 Civic Amenities Act 1967 (c. 69)
- 13 Redundant Churches and other Religious Buildings Act 1969 (c. 22)
- 14 In section 4— (a) in subsection (2)(b), after sub-paragraph (i)...
- 15 In section 5(1), after “Secretary of State,”, in both places,...
- 16 Local Government Act 1972 (c. 70)
- 17 Land Compensation Act 1973 (c. 26)
- 18 Estate Agents Act 1979 (c. 38)
- 19 Ancient Monuments and Archaeological Areas Act 1979 (c. 46)
- 20 In section 1— (a) in subsection (3), for “subsection” substitute...
- 21 Omit sections 1AA to 1AE.

Status: This is the original version (as it was originally enacted).

- 22 In section 2— (a) omit subsections (3A) and (3B);
- 23 In section 4(3), omit “Where a direction would (if given)...
- 24 In section 6, omit subsection (5).
- 25 In section 7(1), omit “the Secretary of State or (where...
- 26 In section 8— (a) in subsection (2A), omit paragraph (c);...
- 27 In section 9(1), omit “the Secretary of State or (where...
- 28 Omit sections 9ZA and 9ZB and the italic heading before...
- 29 Omit sections 9ZC to 9ZH and the italic heading before...
- 30 Omit sections 9ZI to 9ZL and the italic heading before...
- 31 Omit section 9ZM and the italic heading before it.
- 32 In section 26, omit subsection (4).
- 33 In section 27(2), for “section 1AD, 7, 9 or 9ZL”...
- 34 In section 28— (a) in subsection (1), omit “situated in...
- 35 In section 33— (a) after subsection (1) insert—
- 36 In section 35(5), omit paragraph (aa).
- 37 In section 38— (a) in subsection (3)(b), omit “and Wales”;...
- 38 Omit section 41A and the italic heading before it.
- 39 In section 42— (a) in subsection (1), omit “or of...
- 40 In section 44(2), in the second sentence, omit the words...
- 41 In section 45— (a) omit subsection (1);
- 42 In section 46(3), omit “9ZF, 9ZJ,”.
- 43 In section 50, omit subsection (3A).
- 44 In section 51(3), omit “1AD, 9ZL,”.
- 45 In section 53— (a) in subsection (2), for “, or...
- 46 In section 55, omit subsection (3A).
- 47 In section 56— (a) in subsection (1), omit paragraph (ca)...
- 48 In section 60— (a) omit subsection (1A);
- 49 In section 61— (a) in subsection (1)—
- 50 Omit Schedules A1 and A2.
- 51 In Schedule 1— (a) in paragraph 1, omit sub-paragraph (3);...
- 52 Local Government, Planning and Land Act 1980 (c. 65)
- 53 Highways Act 1980 (c. 66)
- 54 In section 79(15)— (a) in paragraph (a), after “local highway...
- 55 In section 105ZA(1), in paragraph (g) of the definition of...
- 56 New Towns Act 1981 (c. 64)
- 57 Acquisition of Land Act 1981 (c. 67)
- 58 National Heritage Act 1983 (c. 47)
- 59 Inheritance Tax Act 1984 (c. 51)
- 60 Building Act 1984 (c. 55)
- 61 In section 1A(2)— (a) in paragraph (a), after “(see section...
- 62 In section 20(1), after “the Planning (Listed Buildings and Conservation...
- 63 In section 77(3), after “subject to” insert “section 79A and...
- 64 In section 79(5), after “subject to” insert “section 79A and...
- 65 After section 79 insert— Wales: exercise of powers under sections...
- 66 Housing Act 1985 (c. 68)
- 67 In section 303, after “section 1 of the Planning (Listed...
- 68 In section 305— (a) in subsection (1), after “Where a...
- 69 In section 306— (a) in subsection (1), after “applies to...
- 70 Protection of Military Remains Act 1986 (c. 35)
- 71 Town and Country Planning Act 1990 (c. 8)
- 72 In section 70(3), as it has effect before section 5(8)...
- 73 In section 108(3F), at the end insert “or the Historic...

- 74 In section 137— (a) in subsection (6)—
- 75 In section 143(4), after “Planning (Listed Buildings and Conservation Areas)...
- 76 In section 157(1)(b)— (a) after “section 47 of the Planning...
- 77 In section 232(1), after “Chapter V of Part 1 of...
- 78 In section 235(6), in the definition of “alternative enactment”, after...
- 79 In section 240(3), in the definition of “relevant acquisition or...
- 80 In section 241(1), after “Chapter V of Part 1 of...
- 81 In section 243(3)(b), after “Chapter V of Part 1 of...
- 82 In section 246(1)(a), after “section 52 of the Planning (Listed...
- 83 In section 271(1), after “Chapter V of Part 1 of...
- 84 In section 272(1), after “Chapter V of Part 1 of...
- 85 In section 275— (a) in subsection (1)(a), after “Chapter V...
- 86 In section 277(2)(a), after “Chapter V of Part 1 of...
- 87 In section 303, after subsection (1) insert—
- 88 In section 303ZA(5)(b), which is inserted by section 200 of...
- 89 In section 306(1)(a), after “Chapter V of Part 1 of...
- 90 Before section 315 (but after the italic heading before that...
- 91 In section 336(1)— (a) in the definition of “conservation area”,...
- 92 In Schedule 4B, in paragraph 8(5), for “has the same...
- 93 Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9)
- 94 In section 1— (a) in subsection (1), after “buildings of...
- 95 In section 2— (a) in subsection (1)—
- 96 Omit sections 2A to 2D.
- 97 In section 3— (a) in the heading, omit “in England”;...
- 98 Omit section 3A.
- 99 In section 4(2), for “sections 3 and 3A,” substitute “section...
- 100 In section 5— (a) at the beginning of subsection (1),...
- 101 In section 6— (a) in the heading, omit “: England”;...
- 102 Omit section 6A.
- 103 In section 8— (a) in subsection (4)—
- 104 In section 9, omit subsection (3A).
- 105 In section 12, omit subsection (4B).
- 106 In section 15(3), omit “in England”.
- 107 In section 20— (a) in subsection (4), omit “in relation...
- 108 In section 21— (a) in subsection (4), omit “interim protection...
- 109 In section 22— (a) omit subsection (2B);
- 110 In section 26A(1), omit “, situated in England”.
- 111 In section 26C(1), omit “in England”.
- 112 In section 26D(1), omit “for any area in England”.
- 113 In section 26H(1), omit “in England”.
- 114 Omit sections 26L and 26M and the italic heading before...
- 115 Omit section 28B.
- 116 In section 29— (a) in subsection (1), omit “in respect...
- 117 In section 31(2), for “28, 28B, 29 and 44D” substitute...
- 118 In section 32(1), in the words after paragraph (b), omit...
- 119 In section 34(2)— (a) in paragraph (c), omit “in England”;...
- 120 In section 40, omit subsection (2B).
- 121 In section 41— (a) in subsection (4)—
- 122 In section 44A(4), omit “, as respects England,”.
- 123 Omit sections 44B to 44D.
- 124 In section 46— (a) in subsection (2)(b), omit “if the...
- 125 In section 47— (a) in subsection (3)(a), omit “situated in...

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- 126 In section 48(4), omit “situated in England”.
- 127 In section 49— (a) in the heading, after “listed building”...
- 128 In section 52(1)— (a) in the words before paragraph (a)—...
- 129 In section 53(3), omit “if they relate to property situated...”
- 130 In section 54— (a) in subsection (2)—
- 131 In section 55, omit subsections (5A) to (5G).
- 132 In section 57(7)— (a) in paragraph (a), for “, county...”
- 133 In section 60(2), omit “, 3A”.
- 134 In section 61(2), for “sections 2B, 3, 3A,” substitute “sections...”
- 135 In section 62(2), omit paragraph (za).
- 136 In section 66, after subsection (4) insert—
- 137 In section 70— (a) in subsection (5)(b), omit “it affects...”
- 138 In section 74— (a) omit subsections (1), (1A) and (2);...
- 139 In section 75— (a) omit subsection (6);
- 140 In section 76(2), omit “in respect of a building in...”
- 141 In section 77— (a) in subsection (1), omit “situated in...”
- 142 In section 79— (a) in subsection (1), omit “, or...”
- 143 In section 80— (a) in subsection (1)(b), omit “in England”;...
- 144 In section 81, after ““local planning authority”” insert “means a...”
- 145 In section 82— (a) in subsection (1)—
- 146 In section 82A(2), omit paragraph (fa).
- 147 In section 86(2)— (a) in paragraph (a), omit “if the...”
- 148 In section 88— (a) omit subsection (3A);
- 149 In section 88B, omit subsection (1A).
- 150 In section 88D— (a) in the heading, omit “: England”;...
- 151 Omit section 88E.
- 152 In section 89— (a) in subsection (1)—
- 153 In section 90(5), after “council of a county” insert “in...”
- 154 In section 91— (a) in subsection (1)—
- 155 In section 93— (a) in subsection (1), omit “in relation...”
- 156 In Schedule 1, in paragraph 2— (a) in sub-paragraph (3),...
- 157 Omit Schedules 1A and 1B.
- 158 In Schedule 2— (a) in paragraph 1—
- 159 In Schedule 3— (a) in paragraph 2—
- 160 In Schedule 4— (a) in paragraph 1—
- 161 Planning and Compensation Act 1991 (c. 34)
- 162 Coal Mining Subsidence Act 1991 (c. 45)
- 163 Land Drainage Act 1991 (c. 59)
- 164 Protection of Badgers Act 1992 (c. 51)
- 165 Tribunals and Inquiries Act 1992 (c. 53)
- 166 Leasehold Reform, Housing and Urban Development Act 1993 (c. 28)
- 167 Local Government (Wales) Act 1994 (c. 19)
- 168 In Schedule 6, omit paragraph 25 and the italic heading...
- 169 In Schedule 16, omit paragraph 56 and the italic heading...
- 170 Value Added Tax Act 1994 (c. 23)
- 171 Criminal Justice and Public Order Act 1994 (c. 33)
- 172 In section 60C(8), in paragraph (b) of the definition of...
- 173 In section 61(9), in paragraph (a)(ii) of the definition of...
- 174 In section 62E(2)(b), after “the Ancient Monuments and Archaeological Areas...”
- 175 Environment Act 1995 (c. 25)
- 176 Planning (Consequential Provisions) (Scotland) Act 1997 (c. 11)

- 177 National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672)
- 178 Countryside and Rights of Way Act 2000 (c. 37)
- 179 In section 15(1), after paragraph (d) insert— or
- 180 In section 26(3)(b)(i), after “the Ancient Monuments and Archaeological Areas...
- 181 Planning and Compulsory Purchase Act 2004 (c. 5)
- 182 Government of Wales Act 2006 (c. 32)
- 183 In Schedule 3A, in the table in paragraph 1, omit...
- 184 In Schedule 10, omit paragraph 36.
- 185 National Assembly for Wales Commission (Crown Status) (No. 2) Order 2007 (S.I. 2007/1353)
- 186 Regulatory Enforcement and Sanctions Act 2008 (c. 13)
- 187 Planning Act 2008 (c. 29)
- 188 Enterprise and Regulatory Reform Act 2013 (c. 24)
- 189 Planning (Wales) Act 2015 (anaw 4)
- 190 Omit section 39(3).
- 191 Omit section 47(3).
- 192 In Schedule 5, omit paragraphs 19 to 22 and the...
- 193 Historic Environment (Wales) Act 2016 (anaw 4)
- 194 Housing and Planning Act 2016 (c. 22)
- 195 Public Services Ombudsman (Wales) Act 2019 (anaw 3)
- 196 Sentencing Act 2020 (c. 17)

SCHEDULE 14 — TRANSITIONAL AND SAVING PROVISIONS

PART 1 — GENERAL PROVISIONS

- 1 Statutory and other references to this Act
- 2 Documents referring to repealed enactments
- 3 Relationship with Legislation (Wales) Act 2019
- 4 Interpretation

PART 2 — GUARDIANSHIP OF MONUMENTS

- 5 Guardianship orders made under 1953 Act
- 6 Control and management of monument where guardianship pre-dates 1979 Act
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PART 3 — MISCELLANEOUS

- 9 Offence of breaching temporary stop notice in relation to scheduled monument
- 10 Service and taking effect of enforcement notice in relation to scheduled monument
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