



# Historic Environment (Wales) Act 2023

2023 asc 3

## PART 2

### MONUMENTS OF SPECIAL HISTORIC INTEREST

#### CHAPTER 5

##### ENFORCEMENT OF CONTROLS RELATING TO SCHEDULED MONUMENTS

PROSPECTIVE

##### *Injunctions*

**42 Injunction to restrain unauthorised works or failure to comply with condition of consent**

- (1) The Welsh Ministers may apply to the High Court or the county court for an injunction restraining—
  - (a) an actual or expected breach of section 11 (requirement for works to be authorised) in relation to a scheduled monument or land in, on or under which there is a scheduled monument, or
  - (b) an actual or expected failure to comply with a condition of scheduled monument consent for works to a scheduled monument.
- (2) The Welsh Ministers may make an application whether or not they have exercised or are proposing to exercise any of their other powers under this Part.
- (3) The court may grant an injunction on any terms it considers appropriate for the purpose of restraining the breach.

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**Status:** *This version of this cross heading contains provisions that are prospective.*

**Changes to legislation:** *There are currently no known outstanding effects for the Historic Environment (Wales) Act 2023, Cross Heading: Injunctions. (See end of Document for details)*

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### **Commencement Information**

**II** S. 42 not in force at Royal Assent, see [s. 212\(2\)](#)

**Status:**

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**Changes to legislation:**

There are currently no known outstanding effects for the Historic Environment (Wales) Act 2023,  
Cross Heading: Injunctions.