

Status: This version of this schedule contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the Historic Environment (Wales) Act 2023, SCHEDULE 1. (See end of Document for details)

PROSPECTIVE

SCHEDULE 1

(introduced by section 7(4))

END OF INTERIM PROTECTION FOR MONUMENTS

Application of this Schedule

- 1 This Schedule applies where interim protection ends in relation to a monument because of a notice under section 7(1)(b) or (2)(b).

Commencement Information

- I1** Sch. 1 para. 1 not in force at Royal Assent, see [s. 212\(2\)](#)

Criminal liability

- 2 The fact that interim protection has ended does not affect the liability of any person to be prosecuted and punished for an offence under this Act committed while the interim protection had effect.

Commencement Information

- I2** Sch. 1 para. 2 not in force at Royal Assent, see [s. 212\(2\)](#)

Scheduled monument consent

- 3 Any proceedings on or arising out of an application for scheduled monument consent relating to the monument lapse, in so far as they relate to consent required by virtue of the interim protection; and any such consent ceases to have effect to the same extent.

Commencement Information

- I3** Sch. 1 para. 3 not in force at Royal Assent, see [s. 212\(2\)](#)

Temporary stop notices

- 4 Any temporary stop notice relating to the monument ceases to have effect, in so far as the notice relates to works affecting anything in respect of which the interim protection had effect.

Commencement Information

- I4** Sch. 1 para. 4 not in force at Royal Assent, see [s. 212\(2\)](#)

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Enforcement notices

- 5 (1) Any enforcement notice relating to the monument ceases to have effect, in so far as the notice relates to works affecting anything in respect of which the interim protection had effect.
- (2) Any proceedings under section 39 or 40(3) relating to an enforcement notice lapse, in so far as the notice relates to works affecting anything in respect of which the interim protection had effect.
- (3) Despite sub-paragraph (1), section 40(1) and (2) continue to have effect in relation to—
- (a) any expenses incurred by a person authorised by the Welsh Ministers as mentioned in that section, and
 - (b) any amounts paid on account of those expenses.

Commencement Information

I5 Sch. 1 para. 5 not in force at Royal Assent, see [s. 212\(2\)](#)

Injunctions

- 6 Any proceedings on an application for an injunction under section 42 relating to the monument lapse, in so far as they relate to the restraint of any actual or expected breach in relation to anything in respect of which the interim protection had effect.

Commencement Information

I6 Sch. 1 para. 6 not in force at Royal Assent, see [s. 212\(2\)](#)

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