



Historic Environment (Wales) Act 2023

2023 asc 3

PART 2

MONUMENTS OF SPECIAL HISTORIC INTEREST

CHAPTER 4

SCHEDULED MONUMENT PARTNERSHIP AGREEMENTS

PROSPECTIVE

28 Compensation in relation to termination

- (1) This section applies where the Welsh Ministers—
 - (a) serve a notice of proposed termination, or
 - (b) make an order under section 27,in relation to a scheduled monument partnership agreement.
- (2) Any party to the agreement who has an interest in the monument or land to which the agreement applies is entitled, on making a claim to the Welsh Ministers, to be paid compensation by them for—
 - (a) any expenditure incurred by the party in carrying out works which become abortive because of the notice or order;
 - (b) any other loss or damage suffered by the party which is directly attributable to the notice or order.
- (3) For the purposes of this section expenditure incurred in the preparation of plans for the purposes of any works, or on other similar matters preparatory to any works, is to be treated as expenditure incurred in carrying out the works.
- (4) Subject to that, no compensation is payable under this section in respect of—

Status: This version of this provision is prospective.

*Changes to legislation: There are currently no known outstanding effects for the
Historic Environment (Wales) Act 2023, Section 28. (See end of Document for details)*

- (a) works carried out before the scheduled monument partnership agreement, or the relevant provision of the agreement, took effect, or
 - (b) other loss or damage (other than loss or damage consisting of depreciation of the value of an interest in land) arising out of anything done or omitted to be done before the agreement or provision took effect.
- (5) A claim for compensation under this section must be made in writing within 6 months beginning with the day the notice of proposed termination or order takes effect (as the case may be).

Commencement Information

II S. 28 not in force at Royal Assent, see [s. 212\(2\)](#)

Status:

This version of this provision is prospective.

Changes to legislation:

There are currently no known outstanding effects for the Historic Environment (Wales) Act 2023, Section 28.