



Historic Environment (Wales) Act 2023

2023 asc 3

PART 2

MONUMENTS OF SPECIAL HISTORIC INTEREST

CHAPTER 5

ENFORCEMENT OF CONTROLS RELATING TO SCHEDULED MONUMENTS

Enforcement notices

PROSPECTIVE

38 Effect of granting scheduled monument consent on enforcement notice

- (1) This section applies if, after an enforcement notice has been issued, scheduled monument consent is granted under section 13(2)—
 - (a) authorising any works to which the notice relates that have been carried out in breach of section 11, or
 - (b) authorising works which involve a breach of a condition subject to which a previous consent was granted.
- (2) The notice ceases to have effect (or does not take effect) so far as it—
 - (a) requires steps to be taken that are inconsistent with the authorisation of the works, or
 - (b) requires steps to be taken for complying with the condition.
- (3) The fact that an enforcement notice has wholly or partly ceased to have effect by virtue of this section does not affect the liability of any person for an offence in respect of a previous failure to comply with the notice (see section 41).

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 38. (See end of Document for details)*

Commencement Information

II S. 38 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 38.