

Status: Point in time view as at 15/06/2023. This version of this schedule contains provisions that are prospective.
Changes to legislation: Historic Environment (Wales) Act 2023, SCHEDULE 13 is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

PROSPECTIVE

SCHEDULE 13

(introduced by section 211(1))

MINOR AND CONSEQUENTIAL AMENDMENTS AND REPEALS

Settled Land Act 1925 (c. 18)

- 1 In Part 2 of Schedule 3 to the Settled Land Act 1925, after paragraph (vi) insert—
- “(vii) Works specified by the Welsh Ministers as being required for properly maintaining a listed building (within the meaning given by section 76 of the Historic Environment (Wales) Act 2023) on the settled land.”

Commencement Information

I1 Sch. 13 para. 1 not in force at Royal Assent, see [s. 212\(2\)](#)

Historic Buildings and Ancient Monuments Act 1953 (c. 49)

- 2 The Historic Buildings and Ancient Monuments Act 1953 is amended as follows.

Commencement Information

I2 Sch. 13 para. 2 not in force at Royal Assent, see [s. 212\(2\)](#)

- 3 Omit section 4.

Commencement Information

I3 Sch. 13 para. 3 not in force at Royal Assent, see [s. 212\(2\)](#)

- 4 In section 4A—
- (a) in the heading, for “section 4” substitute “section 3A”;
 - (b) in subsection (1)—
 - (i) omit “or 4”;
 - (ii) omit “or (as the case may be) by the Secretary of State”;
 - (c) in subsections (3), (4) and (8), omit “or (as the case may be) by the Secretary of State”.

Commencement Information

I4 Sch. 13 para. 4 not in force at Royal Assent, see [s. 212\(2\)](#)

- 5 (1) In section 5, after subsection (5) insert—

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“(6) In this section references to a building do not include a building situated wholly or mainly in Wales.”

(2) This paragraph does not apply in relation to property that was acquired or accepted before it comes into force.

Commencement Information

I5 Sch. 13 para. 5 not in force at Royal Assent, see [s. 212\(2\)](#)

6 Omit section 6.

Commencement Information

I6 Sch. 13 para. 6 not in force at Royal Assent, see [s. 212\(2\)](#)

7 In section 8, after subsection (7) insert—

“(8) In this section references to a building do not include a building situated wholly or mainly in Wales.”

Commencement Information

I7 Sch. 13 para. 7 not in force at Royal Assent, see [s. 212\(2\)](#)

Commencement Information

I2 Sch. 13 para. 2 not in force at Royal Assent, see [s. 212\(2\)](#)

I3 Sch. 13 para. 3 not in force at Royal Assent, see [s. 212\(2\)](#)

I4 Sch. 13 para. 4 not in force at Royal Assent, see [s. 212\(2\)](#)

I5 Sch. 13 para. 5 not in force at Royal Assent, see [s. 212\(2\)](#)

I6 Sch. 13 para. 6 not in force at Royal Assent, see [s. 212\(2\)](#)

I7 Sch. 13 para. 7 not in force at Royal Assent, see [s. 212\(2\)](#)

Land Powers (Defence) Act 1958 (c. 30)

8 In section 6(4)(b) of the Land Powers (Defence) Act 1958, after “the Ancient Monuments and Archaeological Areas Act 1979” insert “or section 3 of the Historic Environment (Wales) Act 2023”.

Commencement Information

I8 Sch. 13 para. 8 not in force at Royal Assent, see [s. 212\(2\)](#)

Public Health Act 1961 (c. 64)

9 In the table in Schedule 4 to the Public Health Act 1961, after the entry relating to section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990 insert—

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“A building which is included in the schedule of monuments maintained under section 3 of the Historic Environment (Wales) Act 2023 or the list of buildings maintained under section 76 of that Act, except—

- (a) a building owned by railway, canal, dock, harbour or inland navigation undertakers,
- (b) a building owned by a holder of a licence under section 6 of the [Electricity Act 1989 \(c. 29\)](#),
- (c) a building owned by a gas transporter (within the meaning given by section 7(1) of the [Gas Act 1986 \(c. 44\)](#)), or
- (d) a building forming part of an aerodrome.

The Welsh Ministers.”

Commencement Information

I9 Sch. 13 para. 9 not in force at Royal Assent, see [s. 212\(2\)](#)

[Compulsory Purchase Act 1965 \(c. 56\)](#)

- 10 In section 1(4) of the Compulsory Purchase Act 1965—
- (a) for “or section 52 of the Planning (Listed Buildings and Conservation Areas) Act 1990” substitute “, section 52 of the Planning (Listed Buildings and Conservation Areas) Act 1990 or section 136 of the Historic Environment (Wales) Act 2023,”;
 - (b) after “section 52(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or section 136(4) of the Historic Environment (Wales) Act 2023”.

Commencement Information

I10 Sch. 13 para. 10 not in force at Royal Assent, see [s. 212\(2\)](#)

[Mines \(Working Facilities and Support\) Act 1966 \(c. 4\)](#)

- 11 In section 7 of the Mines (Working Facilities and Support) Act 1966, after subsection (8) insert—
- “(9) For the purposes of this section, where any building or work is a monument of special historic interest within the meaning of Part 2 of the Historic Environment (Wales) Act 2023 and is, in pursuance of that Part, under the guardianship of the Welsh Ministers or a local authority, the Welsh Ministers or the local authority, as the case may be, shall be deemed to be persons entitled to make an application under this section.”

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Commencement Information

I11 Sch. 13 para. 11 not in force at Royal Assent, see [s. 212\(2\)](#)

Civic Amenities Act 1967 (c. 69)

12 Omit section 4 of the Civic Amenities Act 1967.

Commencement Information

I12 Sch. 13 para. 12 not in force at Royal Assent, see [s. 212\(2\)](#)

Redundant Churches and other Religious Buildings Act 1969 (c. 22)

13 The Redundant Churches and other Religious Buildings Act 1969 is amended as follows.

Commencement Information

I13 Sch. 13 para. 13 not in force at Royal Assent, see [s. 212\(2\)](#)

- 14 In section 4—
- (a) in subsection (2)(b), after sub-paragraph (i) insert—
 - “(ia) the Welsh Ministers,”;
 - (b) in subsection (9), after “in relation to” insert “the Secretary of State and”;
 - (c) after subsection (9) insert—
 - “(9A) In relation to the Welsh Ministers—
 - (a) this section only applies to any premises falling within subsection (1) if they are situated in Wales, and
 - (b) references in this section to land are references only to land situated in Wales.”;
 - (d) in subsection (10)—
 - (i) in paragraph (a), after “the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or the Historic Environment (Wales) Act 2023”;
 - (ii) in paragraph (b), after “the Ancient Monuments and Archaeological Areas Act 1979” insert “or the Historic Environment (Wales) Act 2023”.

Commencement Information

I14 Sch. 13 para. 14 not in force at Royal Assent, see [s. 212\(2\)](#)

15 In section 5(1), after “Secretary of State,” in both places, insert “the Welsh Ministers,”.

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Commencement Information

I15 Sch. 13 para. 15 not in force at Royal Assent, see [s. 212\(2\)](#)

Commencement Information

I13 Sch. 13 para. 13 not in force at Royal Assent, see [s. 212\(2\)](#)

I14 Sch. 13 para. 14 not in force at Royal Assent, see [s. 212\(2\)](#)

I15 Sch. 13 para. 15 not in force at Royal Assent, see [s. 212\(2\)](#)

Local Government Act 1972 (c. 70)

16 In section 131(2) of the Local Government Act 1972, after paragraph (m) insert—
“and
(n) Part 2 of the Historic Environment (Wales) Act 2023.”

Commencement Information

I16 Sch. 13 para. 16 not in force at Royal Assent, see [s. 212\(2\)](#)

Land Compensation Act 1973 (c. 26)

17 In section 33D(4)(d) of the Land Compensation Act 1973, after “section 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or section 138 of the Historic Environment (Wales) Act 2023”.

Commencement Information

I17 Sch. 13 para. 17 not in force at Royal Assent, see [s. 212\(2\)](#)

Estate Agents Act 1979 (c. 38)

18 In section 1(2)(e) of the Estate Agents Act 1979, after “the Planning (Listed Buildings and Conservation Areas) Act 1990,” insert “Parts 3 to 5 of the Historic Environment (Wales) Act 2023,”.

Commencement Information

I18 Sch. 13 para. 18 not in force at Royal Assent, see [s. 212\(2\)](#)

Ancient Monuments and Archaeological Areas Act 1979 (c. 46)

19 The Ancient Monuments and Archaeological Areas Act 1979 is amended as follows.

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Commencement Information

I19 Sch. 13 para. 19 not in force at Royal Assent, see [s. 212\(2\)](#)

20

In section 1—

- (a) in subsection (3), for “subsection” substitute “subsections (3A) and”;
- (b) after subsection (3) insert—

“(3A) The power of the Secretary of State under subsection (3) above to include any monument in the Schedule does not apply to a monument situated in Wales (and in this subsection “Wales has the meaning given by section 158(1) of the Government of Wales Act 2006).”

- (c) omit subsection (5A);
- (d) for subsection (6A) substitute—

“(6A) As soon as may be after—

- (a) including any monument in England in the Schedule under subsection (3) above;
- (b) amending the entry in the Schedule relating to any such monument; or
- (c) excluding the entry in the Schedule relating to any such monument;

the Secretary of State shall inform the Commission of the action taken and, in a case falling within paragraph (a) or (b), shall also send to the Commission a copy of the entry or (as the case may be) of the amended entry in the Schedule relating to that monument.”;

- (e) omit subsections (6B) and (6C);
- (f) in subsection (9) omit “and Wales”.

Commencement Information

I20 Sch. 13 para. 20 not in force at Royal Assent, see [s. 212\(2\)](#)

21

Omit sections 1AA to 1AE.

Commencement Information

I21 Sch. 13 para. 21 not in force at Royal Assent, see [s. 212\(2\)](#)

22

In section 2—

- (a) omit subsections (3A) and (3B);
- (b) in subsection (5)—
 - (i) in paragraph (a), omit “(in a case where the monument in question is situated in England), or”;
 - (ii) omit paragraph (b);
- (c) omit subsections (5A) and (5B);
- (d) omit subsection (6A);

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- (e) in subsection (8), omit “which have been executed in relation to a scheduled monument situated in England or land in, on or under which there is such a scheduled monument”;
- (f) omit subsection (8A).

Commencement Information

I22 Sch. 13 para. 22 not in force at Royal Assent, see [s. 212\(2\)](#)

- 23 In section 4(3), omit “Where a direction would (if given) affect a monument situated in England,”.

Commencement Information

I23 Sch. 13 para. 23 not in force at Royal Assent, see [s. 212\(2\)](#)

- 24 In section 6, omit subsection (5).

Commencement Information

I24 Sch. 13 para. 24 not in force at Royal Assent, see [s. 212\(2\)](#)

- 25 In section 7(1), omit “the Secretary of State or (where the monument in question is situated in England)”.

Commencement Information

I25 Sch. 13 para. 25 not in force at Royal Assent, see [s. 212\(2\)](#)

- 26 In section 8—
- (a) in subsection (2A), omit paragraph (c);
 - (b) in subsection (6), omit “and Wales”.

Commencement Information

I26 Sch. 13 para. 26 not in force at Royal Assent, see [s. 212\(2\)](#)

- 27 In section 9(1), omit “the Secretary of State or (where the monument in question is situated in England)”.

Commencement Information

I27 Sch. 13 para. 27 not in force at Royal Assent, see [s. 212\(2\)](#)

- 28 Omit sections 9ZA and 9ZB and the italic heading before section 9ZA.

Commencement Information

I28 Sch. 13 para. 28 not in force at Royal Assent, see [s. 212\(2\)](#)

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29 Omit sections 9ZC to 9ZH and the italic heading before section 9ZC.

Commencement Information

I29 Sch. 13 para. 29 not in force at Royal Assent, see [s. 212\(2\)](#)

30 Omit sections 9ZI to 9ZL and the italic heading before section 9ZI.

Commencement Information

I30 Sch. 13 para. 30 not in force at Royal Assent, see [s. 212\(2\)](#)

31 Omit section 9ZM and the italic heading before it.

Commencement Information

I31 Sch. 13 para. 31 not in force at Royal Assent, see [s. 212\(2\)](#)

32 In section 26, omit subsection (4).

Commencement Information

I32 Sch. 13 para. 32 not in force at Royal Assent, see [s. 212\(2\)](#)

33 In section 27(2), for “section 1AD, 7, 9 or 9ZL” substitute “section 7 or 9”.

Commencement Information

I33 Sch. 13 para. 33 not in force at Royal Assent, see [s. 212\(2\)](#)

34 In section 28—
 (a) in subsection (1), omit “situated in England”;
 (b) omit subsection (1A).

Commencement Information

I34 Sch. 13 para. 34 not in force at Royal Assent, see [s. 212\(2\)](#)

35 In section 33—
 (a) after subsection (1) insert—
 “(1A) An order under subsection (1) may not designate an area in
 Wales.”;
 (b) in subsection (5), omit “and Wales”.

Commencement Information

I35 Sch. 13 para. 35 not in force at Royal Assent, see [s. 212\(2\)](#)

36 In section 35(5), omit paragraph (aa).

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Commencement Information

I36 Sch. 13 para. 36 not in force at Royal Assent, see [s. 212\(2\)](#)

- 37 In section 38—
- (a) in subsection (3)(b), omit “and Wales”;
 - (b) in subsection (9)(b), omit “and Wales”.

Commencement Information

I37 Sch. 13 para. 37 not in force at Royal Assent, see [s. 212\(2\)](#)

- 38 Omit section 41A and the italic heading before it.

Commencement Information

I38 Sch. 13 para. 38 not in force at Royal Assent, see [s. 212\(2\)](#)

- 39 In section 42—
- (a) in subsection (1), omit “or of the Secretary of State (in any other case)”;
 - (b) in subsection (3), omit “or of the Secretary of State (in any other case)”;
 - (c) in subsection (4), omit “the Secretary of State or”;
 - (d) in subsection (5)(a), omit “the Secretary of State or”;
 - (e) in subsection (7), omit “relating to a protected place situated in England”;
 - (f) omit subsection (8).

Commencement Information

I39 Sch. 13 para. 39 not in force at Royal Assent, see [s. 212\(2\)](#)

- 40 In section 44(2), in the second sentence, omit the words from “, or in relation to” to the end.

Commencement Information

I40 Sch. 13 para. 40 not in force at Royal Assent, see [s. 212\(2\)](#)

- 41 In section 45—
- (a) omit subsection (1);
 - (b) in subsection (3), omit “The Secretary of State or”.

Commencement Information

I41 Sch. 13 para. 41 not in force at Royal Assent, see [s. 212\(2\)](#)

- 42 In section 46(3), omit “9ZF, 9ZJ”.

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Commencement Information

I42 Sch. 13 para. 42 not in force at Royal Assent, see [s. 212\(2\)](#)

43 In section 50, omit subsection (3A).

Commencement Information

I43 Sch. 13 para. 43 not in force at Royal Assent, see [s. 212\(2\)](#)

44 In section 51(3), omit “1AD, 9ZL,”.

Commencement Information

I44 Sch. 13 para. 44 not in force at Royal Assent, see [s. 212\(2\)](#)

45 In section 53—

- (a) in subsection (2), for “, or of Wales; and, subject to subsection (2B),” substitute “and”;
- (b) omit subsections (2A) and (2B).

Commencement Information

I45 Sch. 13 para. 45 not in force at Royal Assent, see [s. 212\(2\)](#)

46 In section 55, omit subsection (3A).

Commencement Information

I46 Sch. 13 para. 46 not in force at Royal Assent, see [s. 212\(2\)](#)

47 In section 56—

- (a) in subsection (1), omit paragraph (ca) and the “or” after it;
- (b) omit subsection (1A);
- (c) omit subsection (3).

Commencement Information

I47 Sch. 13 para. 47 not in force at Royal Assent, see [s. 212\(2\)](#)

48 In section 60—

- (a) omit subsection (1A);
- (b) omit subsections (3), (4) and (5).

Commencement Information

I48 Sch. 13 para. 48 not in force at Royal Assent, see [s. 212\(2\)](#)

49 In section 61—

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- (a) in subsection (1)—
 - (i) omit the definitions of “address”, “electronic communication” and “interim protection”;
 - (ii) in the definition of “local authority”, omit paragraph (aa);
 - (iii) in the definition of “owner”, omit “sections 9ZA and 9ZB and”;
 - (iv) in the definition of “scheduled monument consent”, omit “and (3B)”;
- (b) omit subsection (2B);
- (c) in subsection (6), omit “(other than in section 9ZA)”;
- (d) in subsection (7), omit paragraph (d) and the “and” before it;
- (e) omit subsection (7A);
- (f) in subsection (12), in paragraph (b), at the end insert “, except any monument situated wholly or mainly in Wales”.

Commencement Information

I49 Sch. 13 para. 49 not in force at Royal Assent, see [s. 212\(2\)](#)

50 Omit Schedules A1 and A2.

Commencement Information

I50 Sch. 13 para. 50 not in force at Royal Assent, see [s. 212\(2\)](#)

51 In Schedule 1—

- (a) in paragraph 1, omit sub-paragraph (3);
- (b) in paragraph 2(4), omit “or of regulations made by the Welsh Ministers under it”;
- (c) omit paragraph 2B;
- (d) in paragraph 3, omit sub-paragraph (5);
- (e) omit paragraph 3A;
- (f) in paragraph 4(1), omit “and Wales”;
- (g) in paragraph 5(1A), omit “Where the monument in question is situated in England,”.

Commencement Information

I51 Sch. 13 para. 51 not in force at Royal Assent, see [s. 212\(2\)](#)

Commencement Information

I19 Sch. 13 para. 19 not in force at Royal Assent, see [s. 212\(2\)](#)

I20 Sch. 13 para. 20 not in force at Royal Assent, see [s. 212\(2\)](#)

I21 Sch. 13 para. 21 not in force at Royal Assent, see [s. 212\(2\)](#)

I22 Sch. 13 para. 22 not in force at Royal Assent, see [s. 212\(2\)](#)

I23 Sch. 13 para. 23 not in force at Royal Assent, see [s. 212\(2\)](#)

I24 Sch. 13 para. 24 not in force at Royal Assent, see [s. 212\(2\)](#)

I25 Sch. 13 para. 25 not in force at Royal Assent, see [s. 212\(2\)](#)

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I49	Sch. 13 para. 49 not in force at Royal Assent, see s. 212(2)
I50	Sch. 13 para. 50 not in force at Royal Assent, see s. 212(2)
I51	Sch. 13 para. 51 not in force at Royal Assent, see s. 212(2)

Local Government, Planning and Land Act 1980 (c. 65)

- 52 In section 148(3) of the Local Government, Planning and Land Act 1980, after “(which relates to the compilation or approval by the Secretary of State of lists of buildings of special architectural or historic interest)” insert “, under section 76 of the Historic Environment (Wales) Act 2023 (which makes similar provision for Wales),”.

Commencement Information

- I52** Sch. 13 para. 52 not in force at Royal Assent, see [s. 212\(2\)](#)

Highways Act 1980 (c. 66)

- 53 The Highways Act 1980 is amended as follows.

Commencement Information

- I53** Sch. 13 para. 53 not in force at Royal Assent, see [s. 212\(2\)](#)

- 54 In section 79(15)—
- (a) in paragraph (a), after “local highway authority” insert “in England”;
 - (b) after that paragraph insert—

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“(aa) authorises the service by a local highway authority in Wales of a notice under this section with respect to any wall forming part of a monument of special historic interest (within the meaning of Part 2 of the Historic Environment (Wales) Act 2023) or other object of archaeological interest, except with the consent of the Welsh Ministers; or”

Commencement Information

I54 Sch. 13 para. 54 not in force at Royal Assent, see [s. 212\(2\)](#)

55 In section 105ZA(1), in paragraph (g) of the definition of “sensitive area”, after “the Ancient Monuments and Archaeological Areas Act 1979” insert “or the Historic Environment (Wales) Act 2023”.

Commencement Information

I55 Sch. 13 para. 55 not in force at Royal Assent, see [s. 212\(2\)](#)

Commencement Information

I53 Sch. 13 para. 53 not in force at Royal Assent, see [s. 212\(2\)](#)

I54 Sch. 13 para. 54 not in force at Royal Assent, see [s. 212\(2\)](#)

I55 Sch. 13 para. 55 not in force at Royal Assent, see [s. 212\(2\)](#)

New Towns Act 1981 (c. 64)

56 In section 8 of the New Towns Act 1981, at the end insert “or under section 76 of the Historic Environment (Wales) Act 2023 (which makes similar provision for Wales)”.

Commencement Information

I56 Sch. 13 para. 56 not in force at Royal Assent, see [s. 212\(2\)](#)

Acquisition of Land Act 1981 (c. 67)

57 In section 31(1)(a) of the Acquisition of Land Act 1981, after “Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or Part 3 of the Historic Environment (Wales) Act 2023”.

Commencement Information

I57 Sch. 13 para. 57 not in force at Royal Assent, see [s. 212\(2\)](#)

National Heritage Act 1983 (c. 47)

58 In Schedule 4 to the National Heritage Act 1983—

Status: Point in time view as at 15/06/2023. This version of this schedule contains provisions that are prospective.
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- (a) omit paragraph 4;
- (b) omit paragraph 8;
- (c) omit paragraph 31.

Commencement Information

I58 Sch. 13 para. 58 not in force at Royal Assent, see [s. 212\(2\)](#)

Inheritance Tax Act 1984 (c. 51)

- 59 In section 230(3)(c) of the Inheritance Tax Act 1984, after “the Ancient Monuments and Archaeological Areas Act 1979” insert “, or of which the Welsh Ministers are guardians under Part 2 of the Historic Environment (Wales) Act 2023”.

Commencement Information

I59 Sch. 13 para. 59 not in force at Royal Assent, see [s. 212\(2\)](#)

Building Act 1984 (c. 55)

- 60 The Building Act 1984 is amended as follows.

Commencement Information

I60 Sch. 13 para. 60 not in force at Royal Assent, see [s. 212\(2\)](#)

- 61 In section 1A(2)—
- (a) in paragraph (a), after “(see section 1(5) of that Act)” insert “or the Historic Environment (Wales) Act 2023 (see section 76 of that Act)”;
 - (b) in paragraph (b), for “that Act” substitute “the Planning (Listed Buildings and Conservation Areas) Act 1990 or under section 158 of the Historic Environment (Wales) Act 2023”.

Commencement Information

I61 Sch. 13 para. 61 not in force at Royal Assent, see [s. 212\(2\)](#)

- 62 In section 20(1), after “the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “, Part 3 of the Historic Environment (Wales) Act 2023”.

Commencement Information

I62 Sch. 13 para. 62 not in force at Royal Assent, see [s. 212\(2\)](#)

- 63 In section 77(3), after “subject to” insert “section 79A and to”.

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Commencement Information

I63 Sch. 13 para. 63 not in force at Royal Assent, see [s. 212\(2\)](#)

64 In section 79(5), after “subject to” insert “section 79A and to”.

Commencement Information

I64 Sch. 13 para. 64 not in force at Royal Assent, see [s. 212\(2\)](#)

65 After section 79 insert—

“79A Wales: exercise of powers under sections 77 and 79 in relation to listed buildings, buildings in conservation areas etc.

- (1) Before taking any steps mentioned in subsection (3) in relation to a listed building, a local authority in Wales must—
 - (a) if it is the planning authority for the area in which the building is situated, consider whether it should instead exercise its powers under sections 137 and 138 of the Historic Environment (Wales) Act 2023 (compulsory acquisition and repairs notices), and
 - (b) in any case, consider whether it should instead exercise its powers under section 144 of that Act (urgent preservation works).
- (2) Before taking any steps mentioned in subsection (3) in relation to—
 - (a) a building in relation to which interim protection or temporary listing has effect under Chapter 1 of Part 3 of the Historic Environment (Wales) Act 2023, or
 - (b) a building that is subject to a direction under section 164 of that Act (urgent works to preserve buildings in conservation areas),a local authority in Wales must consider whether it should instead exercise its powers under section 144 of that Act.
- (3) The steps referred to in subsections (1) and (2) are steps with a view to—
 - (a) obtaining an order under section 77(1)(a), or
 - (b) serving a notice under section 79(1).
- (4) In subsection (1), “listed building and “planning authority have the same meanings as in the Historic Environment (Wales) Act 2023.”

Commencement Information

I65 Sch. 13 para. 65 not in force at Royal Assent, see [s. 212\(2\)](#)

Commencement Information

I60 Sch. 13 para. 60 not in force at Royal Assent, see [s. 212\(2\)](#)

I61 Sch. 13 para. 61 not in force at Royal Assent, see [s. 212\(2\)](#)

I62 Sch. 13 para. 62 not in force at Royal Assent, see [s. 212\(2\)](#)

I63 Sch. 13 para. 63 not in force at Royal Assent, see [s. 212\(2\)](#)

Status: Point in time view as at 15/06/2023. This version of this schedule contains provisions that are prospective.
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I64 Sch. 13 para. 64 not in force at Royal Assent, see [s. 212\(2\)](#)

I65 Sch. 13 para. 65 not in force at Royal Assent, see [s. 212\(2\)](#)

Housing Act 1985 (c. 68)

66 The Housing Act 1985 is amended as follows.

Commencement Information

I66 Sch. 13 para. 66 not in force at Royal Assent, see [s. 212\(2\)](#)

67 In section 303, after “section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or section 76 of the Historic Environment (Wales) Act 2023”.

Commencement Information

I67 Sch. 13 para. 67 not in force at Royal Assent, see [s. 212\(2\)](#)

68 In section 305—

- (a) in subsection (1), after “Where a building” insert “in England”;
- (b) after subsection (1) insert—

“(1A) Where a building in Wales to which a compulsory purchase order under section 290 applies becomes a listed building at any time after the making of the order, the authority making the order may, within the period of three months beginning with the date on which the building becomes a listed building, apply to the Welsh Ministers (and only to them) for their consent under section 89 of the Historic Environment (Wales) Act 2023 to the demolition of the building.”;

- (c) in subsection (2), after “Secretary of State gives” insert “, or (as the case may be) the Welsh Ministers give,”.

Commencement Information

I68 Sch. 13 para. 68 not in force at Royal Assent, see [s. 212\(2\)](#)

69 In section 306—

- (a) in subsection (1), after “applies to a building” insert “in England”;
- (b) after subsection (1) insert—

“(1A) Where section 291 applies to a building in Wales purchased by the local housing authority by agreement and the building becomes a listed building, the authority may, within the period of three months beginning with the date on which the building becomes a listed building, apply to the Welsh Ministers (and only to them) for their consent under section 89 of the Historic Environment (Wales) Act 2023 to the demolition of the building.”

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Commencement Information

I69 Sch. 13 para. 69 not in force at Royal Assent, see [s. 212\(2\)](#)

Commencement Information

I66 Sch. 13 para. 66 not in force at Royal Assent, see [s. 212\(2\)](#)

I67 Sch. 13 para. 67 not in force at Royal Assent, see [s. 212\(2\)](#)

I68 Sch. 13 para. 68 not in force at Royal Assent, see [s. 212\(2\)](#)

I69 Sch. 13 para. 69 not in force at Royal Assent, see [s. 212\(2\)](#)

Protection of Military Remains Act 1986 (c. 35)

70 In section 9(1) of the Protection of Military Remains Act 1986, in the definition of “Crown land”, after “the Ancient Monuments and Archaeological Areas Act 1979” insert “except that in relation to land in Wales, it has the meaning given in section 207 of the Historic Environment (Wales) Act 2023”.

Commencement Information

I70 Sch. 13 para. 70 not in force at Royal Assent, see [s. 212\(2\)](#)

Town and Country Planning Act 1990 (c. 8)

71 The Town and Country Planning Act 1990 is amended as follows.

Commencement Information

I71 Sch. 13 para. 71 not in force at Royal Assent, see [s. 212\(2\)](#)

72 In section 70(3), as it has effect before section 5(8) of the [Housing and Planning Act 2016 \(c. 22\)](#) comes into force, after “Planning (Listed Buildings and Conservation Areas) Act 1990” insert “, to section 160 of the Historic Environment (Wales) Act 2023”.

Commencement Information

I72 Sch. 13 para. 72 not in force at Royal Assent, see [s. 212\(2\)](#)

73 In section 108(3F), at the end insert “or the Historic Environment (Wales) Act 2023”.

Commencement Information

I73 Sch. 13 para. 73 not in force at Royal Assent, see [s. 212\(2\)](#)

74 In section 137—
(a) in subsection (6)—

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- (i) in the words before paragraph (a), after “section 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or section 138 of the Historic Environment (Wales) Act 2023”;
 - (ii) in paragraph (b), for “that Act” substitute “the Planning (Listed Buildings and Conservation Areas) Act 1990 or section 137 of the Historic Environment (Wales) Act 2023”;
- (b) in subsection (7)(b)(i)—
- (i) after “Secretary of State” insert “or the Welsh Ministers”;
 - (ii) after “he decides” insert “or they decide”.

Commencement Information

I74 Sch. 13 para. 74 not in force at Royal Assent, see [s. 212\(2\)](#)

- 75 In section 143(4), after “Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or section 100 or 127 of the Historic Environment (Wales) Act 2023”.

Commencement Information

I75 Sch. 13 para. 75 not in force at Royal Assent, see [s. 212\(2\)](#)

- 76 In section 157(1)(b)—
- (a) after “section 47 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or section 137 of the Historic Environment (Wales) Act 2023”;
 - (b) after “section 50 of that Act of 1990” insert “or section 140 of that Act of 2023”.

Commencement Information

I76 Sch. 13 para. 76 not in force at Royal Assent, see [s. 212\(2\)](#)

- 77 In section 232(1), after “Chapter V of Part 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or Chapter 5 of Part 3 of the Historic Environment (Wales) Act 2023”.

Commencement Information

I77 Sch. 13 para. 77 not in force at Royal Assent, see [s. 212\(2\)](#)

- 78 In section 235(6), in the definition of “alternative enactment”, after “Chapter V of Part 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or Chapter 5 of Part 3 of the Historic Environment (Wales) Act 2023”.

Commencement Information

I78 Sch. 13 para. 78 not in force at Royal Assent, see [s. 212\(2\)](#)

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- 79 In section 240(3), in the definition of “relevant acquisition or appropriation”, after “Chapter V of Part 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or Chapter 5 of Part 3 of the Historic Environment (Wales) Act 2023”.

Commencement Information

I79 Sch. 13 para. 79 not in force at Royal Assent, see [s. 212\(2\)](#)

- 80 In section 241(1), after “Chapter V of Part 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or Chapter 5 of Part 3 of the Historic Environment (Wales) Act 2023”.

Commencement Information

I80 Sch. 13 para. 80 not in force at Royal Assent, see [s. 212\(2\)](#)

- 81 In section 243(3)(b), after “Chapter V of Part 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or Chapter 5 of Part 3 of the Historic Environment (Wales) Act 2023”.

Commencement Information

I81 Sch. 13 para. 81 not in force at Royal Assent, see [s. 212\(2\)](#)

- 82 In section 246(1)(a), after “section 52 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or section 136 of the Historic Environment (Wales) Act 2023”.

Commencement Information

I82 Sch. 13 para. 82 not in force at Royal Assent, see [s. 212\(2\)](#)

- 83 In section 271(1), after “Chapter V of Part 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or Chapter 5 of Part 3 of the Historic Environment (Wales) Act 2023”.

Commencement Information

I83 Sch. 13 para. 83 not in force at Royal Assent, see [s. 212\(2\)](#)

- 84 In section 272(1), after “Chapter V of Part 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or Chapter 5 of Part 3 of the Historic Environment (Wales) Act 2023”.

Commencement Information

I84 Sch. 13 para. 84 not in force at Royal Assent, see [s. 212\(2\)](#)

- 85 In section 275—

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- (a) in subsection (1)(a), after “Chapter V of Part 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or Chapter 5 of Part 3 of the Historic Environment (Wales) Act 2023”;
- (b) in subsection (2)(a), for “that Chapter” substitute “either of those Chapters”;
- (c) in subsection (3), after “Chapter V of Part 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or Chapter 5 of Part 3 of the Historic Environment (Wales) Act 2023”.

Commencement Information

I85 Sch. 13 para. 85 not in force at Royal Assent, see [s. 212\(2\)](#)

- 86 In section 277(2)(a), after “Chapter V of Part 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or Chapter 5 of Part 3 of the Historic Environment (Wales) Act 2023”.

Commencement Information

I86 Sch. 13 para. 86 not in force at Royal Assent, see [s. 212\(2\)](#)

- 87 In section 303, after subsection (1) insert—
 “(1ZZA) References in subsection (1) to functions of a local planning authority do not, in the case of a local planning authority in Wales, include functions under the Historic Environment (Wales) Act 2023 (as to which, see section 167 of that Act).”

Commencement Information

I87 Sch. 13 para. 87 not in force at Royal Assent, see [s. 212\(2\)](#)

- 88 In section 303ZA(5)(b), which is inserted by section 200 of the [Planning Act 2008 \(c. 29\)](#), after “the Welsh Ministers” insert “in relation to appeals under any provision made by or under this Act as it applies”.

Commencement Information

I88 Sch. 13 para. 88 not in force at Royal Assent, see [s. 212\(2\)](#)

- 89 In section 306(1)(a), after “Chapter V of Part 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or Chapter 5 of Part 3 of the Historic Environment (Wales) Act 2023”.

Commencement Information

I89 Sch. 13 para. 89 not in force at Royal Assent, see [s. 212\(2\)](#)

- 90 Before section 315 (but after the italic heading before that section) insert—

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“314A Wales: duties relating to listed buildings and features of architectural or historic interest

- (1) In considering whether to grant planning permission for development which affects a listed building or its setting, the Welsh Ministers or a local planning authority in Wales must have special regard to the desirability of preserving—
 - (a) the listed building,
 - (b) the setting of the building, or
 - (c) any features of special architectural or historic interest the building possesses.
- (2) In exercising the powers conferred by sections 232, 233 and 235(1) (appropriation, disposal and development of land held for planning purposes), a relevant local authority must have regard to the desirability of preserving features of special architectural or historic interest, and in particular listed buildings.
- (3) In subsection (2), “relevant local authority” means—
 - (a) a county council or county borough council in Wales;
 - (b) a National Park authority in Wales;
 - (c) a joint planning board constituted under section 2(1B).
- (4) In this section, “listed building” means—
 - (a) a listed building (within the meaning given by section 76 of the Historic Environment (Wales) Act 2023) situated in Wales, or
 - (b) a listed building (within the meaning given by section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990) situated in England.”

Commencement Information

190 Sch. 13 para. 90 not in force at Royal Assent, see [s. 212\(2\)](#)

- 91 In section 336(1)—
- (a) in the definition of “conservation area”, after “section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or section 158 of the Historic Environment (Wales) Act 2023”;
 - (b) in the definition of “the planning Acts”, after “Planning (Listed Buildings and Conservation Areas) Act 1990,” insert “Parts 3 to 5 of the Historic Environment (Wales) Act 2023 (and Part 7 of that Act as it applies for the purposes of those Parts)”.

Commencement Information

191 Sch. 13 para. 91 not in force at Royal Assent, see [s. 212\(2\)](#)

- 92 In Schedule 4B, in paragraph 8(5), for “has the same meaning as in the Planning (Listed Buildings and Conservation Areas) Act 1990” substitute—

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“means—

- (a) a listed building (within the meaning given by section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990) situated in England, or
- (b) a listed building (within the meaning given by section 76 of the Historic Environment (Wales) Act 2023) situated in Wales.”

Commencement Information

I92 Sch. 13 para. 92 not in force at Royal Assent, see [s. 212\(2\)](#)

Commencement Information

I71 Sch. 13 para. 71 not in force at Royal Assent, see [s. 212\(2\)](#)
I72 Sch. 13 para. 72 not in force at Royal Assent, see [s. 212\(2\)](#)
I73 Sch. 13 para. 73 not in force at Royal Assent, see [s. 212\(2\)](#)
I74 Sch. 13 para. 74 not in force at Royal Assent, see [s. 212\(2\)](#)
I75 Sch. 13 para. 75 not in force at Royal Assent, see [s. 212\(2\)](#)
I76 Sch. 13 para. 76 not in force at Royal Assent, see [s. 212\(2\)](#)
I77 Sch. 13 para. 77 not in force at Royal Assent, see [s. 212\(2\)](#)
I78 Sch. 13 para. 78 not in force at Royal Assent, see [s. 212\(2\)](#)
I79 Sch. 13 para. 79 not in force at Royal Assent, see [s. 212\(2\)](#)
I80 Sch. 13 para. 80 not in force at Royal Assent, see [s. 212\(2\)](#)
I81 Sch. 13 para. 81 not in force at Royal Assent, see [s. 212\(2\)](#)
I82 Sch. 13 para. 82 not in force at Royal Assent, see [s. 212\(2\)](#)
I83 Sch. 13 para. 83 not in force at Royal Assent, see [s. 212\(2\)](#)
I84 Sch. 13 para. 84 not in force at Royal Assent, see [s. 212\(2\)](#)
I85 Sch. 13 para. 85 not in force at Royal Assent, see [s. 212\(2\)](#)
I86 Sch. 13 para. 86 not in force at Royal Assent, see [s. 212\(2\)](#)
I87 Sch. 13 para. 87 not in force at Royal Assent, see [s. 212\(2\)](#)
I88 Sch. 13 para. 88 not in force at Royal Assent, see [s. 212\(2\)](#)
I89 Sch. 13 para. 89 not in force at Royal Assent, see [s. 212\(2\)](#)
I90 Sch. 13 para. 90 not in force at Royal Assent, see [s. 212\(2\)](#)
I91 Sch. 13 para. 91 not in force at Royal Assent, see [s. 212\(2\)](#)
I92 Sch. 13 para. 92 not in force at Royal Assent, see [s. 212\(2\)](#)

Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9)

93 The Planning (Listed Buildings and Conservation Areas) Act 1990 is amended as follows.

Commencement Information

I93 Sch. 13 para. 93 not in force at Royal Assent, see [s. 212\(2\)](#)

94 In section 1—

- (a) in subsection (1), after “buildings of special architectural or historic interest” insert “in England”;
- (b) omit subsection (2);

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- (c) in subsection (4), omit “in relation to buildings which are situated in England”;
- (d) omit subsection (4A);
- (e) in subsection (5A), omit “situated in England”.

Commencement Information

I94 Sch. 13 para. 94 not in force at Royal Assent, see [s. 212\(2\)](#)

95 In section 2—

- (a) in subsection (1)—
 - (i) in the words before paragraph (a), omit “, Welsh county, county borough,”;
 - (ii) after paragraph (a), insert “and”;
 - (iii) omit paragraph (c) and the “and” before it;
- (b) in subsection (3), in the words before paragraph (a)—
 - (i) omit “situated in England”;
 - (ii) for “any such building” substitute “any building”;
- (c) omit subsections (3A) and (3B).

Commencement Information

I95 Sch. 13 para. 95 not in force at Royal Assent, see [s. 212\(2\)](#)

96 Omit sections 2A to 2D.

Commencement Information

I96 Sch. 13 para. 96 not in force at Royal Assent, see [s. 212\(2\)](#)

97 In section 3—

- (a) in the heading, omit “in England”;
- (b) in subsection (1), for “If it appears to a local planning authority in England who are not a county planning authority” substitute “If it appears to a local planning authority, other than a county planning authority,”;
- (c) in subsections (2), (3), (4), (5) and (6), omit “under this section”.

Commencement Information

I97 Sch. 13 para. 97 not in force at Royal Assent, see [s. 212\(2\)](#)

98 Omit section 3A.

Commencement Information

I98 Sch. 13 para. 98 not in force at Royal Assent, see [s. 212\(2\)](#)

99 In section 4(2), for “sections 3 and 3A,” substitute “section 3,”.

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Commencement Information

I99 Sch. 13 para. 99 not in force at Royal Assent, see [s. 212\(2\)](#)

- 100 In section 5—
- (a) at the beginning of subsection (1), omit “(1)”;
 - (b) omit subsection (2).

Commencement Information

I100 Sch. 13 para. 100 not in force at Royal Assent, see [s. 212\(2\)](#)

- 101 In section 6—
- (a) in the heading, omit “: England”;
 - (b) in subsection (A1), omit “situated in England”.

Commencement Information

I101 Sch. 13 para. 101 not in force at Royal Assent, see [s. 212\(2\)](#)

- 102 Omit section 6A.

Commencement Information

I102 Sch. 13 para. 102 not in force at Royal Assent, see [s. 212\(2\)](#)

- 103 In section 8—
- (a) in subsection (4)—
 - (i) in paragraph (a), omit “in relation to England,”;
 - (ii) omit paragraph (b);
 - (b) in subsection (6), omit paragraph (b) and the “and” before it.

Commencement Information

I103 Sch. 13 para. 103 not in force at Royal Assent, see [s. 212\(2\)](#)

- 104 In section 9, omit subsection (3A).

Commencement Information

I104 Sch. 13 para. 104 not in force at Royal Assent, see [s. 212\(2\)](#)

- 105 In section 12, omit subsection (4B).

Commencement Information

I105 Sch. 13 para. 105 not in force at Royal Assent, see [s. 212\(2\)](#)

- 106 In section 15(3), omit “in England”.

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Commencement Information

I106 Sch. 13 para. 106 not in force at Royal Assent, see [s. 212\(2\)](#)

- 107 In section 20—
- (a) in subsection (4), omit “in relation to England”;
 - (b) omit subsection (5).

Commencement Information

I107 Sch. 13 para. 107 not in force at Royal Assent, see [s. 212\(2\)](#)

- 108 In section 21—
- (a) in subsection (4), omit “interim protection has effect or”;
 - (b) omit subsections (4A) and (4B);
 - (c) omit subsection (9).

Commencement Information

I108 Sch. 13 para. 108 not in force at Royal Assent, see [s. 212\(2\)](#)

- 109 In section 22—
- (a) omit subsection (2B);
 - (b) in subsection (3), for “an appeal under section 20” substitute “the appeal”.

Commencement Information

I109 Sch. 13 para. 109 not in force at Royal Assent, see [s. 212\(2\)](#)

- 110 In section 26A(1), omit “, situated in England”.

Commencement Information

I110 Sch. 13 para. 110 not in force at Royal Assent, see [s. 212\(2\)](#)

- 111 In section 26C(1), omit “in England”.

Commencement Information

I111 Sch. 13 para. 111 not in force at Royal Assent, see [s. 212\(2\)](#)

- 112 In section 26D(1), omit “for any area in England”.

Commencement Information

I112 Sch. 13 para. 112 not in force at Royal Assent, see [s. 212\(2\)](#)

- 113 In section 26H(1), omit “in England”.

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Commencement Information

I113 Sch. 13 para. 113 not in force at Royal Assent, see [s. 212\(2\)](#)

114 Omit sections 26L and 26M and the italic heading before section 26L.

Commencement Information

I114 Sch. 13 para. 114 not in force at Royal Assent, see [s. 212\(2\)](#)

115 Omit section 28B.

Commencement Information

I115 Sch. 13 para. 115 not in force at Royal Assent, see [s. 212\(2\)](#)

116 In section 29—
 (a) in subsection (1), omit “in respect of a building situated in England”;
 (b) omit subsection (1A).

Commencement Information

I116 Sch. 13 para. 116 not in force at Royal Assent, see [s. 212\(2\)](#)

117 In section 31(2), for “28, 28B, 29 and 44D” substitute “28 and 29”.

Commencement Information

I117 Sch. 13 para. 117 not in force at Royal Assent, see [s. 212\(2\)](#)

118 In section 32(1), in the words after paragraph (b), omit “, Welsh county, county borough,”.

Commencement Information

I118 Sch. 13 para. 118 not in force at Royal Assent, see [s. 212\(2\)](#)

119 In section 34(2)—
 (a) in paragraph (c), omit “in England”;
 (b) omit paragraph (cc).

Commencement Information

I119 Sch. 13 para. 119 not in force at Royal Assent, see [s. 212\(2\)](#)

120 In section 40, omit subsection (2B).

Status: Point in time view as at 15/06/2023. This version of this schedule contains provisions that are prospective.
Changes to legislation: Historic Environment (Wales) Act 2023, SCHEDULE 13 is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Commencement Information

I120 Sch. 13 para. 120 not in force at Royal Assent, see [s. 212\(2\)](#)

- 121 In section 41—
- (a) in subsection (4)—
 - (i) omit “section 40(2) would otherwise apply and”;
 - (ii) omit “of this section”;
 - (b) in subsection (8), omit “in England”.

Commencement Information

I121 Sch. 13 para. 121 not in force at Royal Assent, see [s. 212\(2\)](#)

- 122 In section 44A(4), omit “, as respects England,”.

Commencement Information

I122 Sch. 13 para. 122 not in force at Royal Assent, see [s. 212\(2\)](#)

- 123 Omit sections 44B to 44D.

Commencement Information

I123 Sch. 13 para. 123 not in force at Royal Assent, see [s. 212\(2\)](#)

- 124 In section 46—
- (a) in subsection (2)(b), omit “if the land is situated in England,”;
 - (b) in subsection (5), omit “in England”.

Commencement Information

I124 Sch. 13 para. 124 not in force at Royal Assent, see [s. 212\(2\)](#)

- 125 In section 47—
- (a) in subsection (3)(a), omit “situated in England”;
 - (b) in subsection (7), in the definition of “the appropriate authority,” in paragraph (a), omit “, county borough”.

Commencement Information

I125 Sch. 13 para. 125 not in force at Royal Assent, see [s. 212\(2\)](#)

- 126 In section 48(4), omit “situated in England”.

Commencement Information

I126 Sch. 13 para. 126 not in force at Royal Assent, see [s. 212\(2\)](#)

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- 127 In section 49—
- (a) in the heading, after “listed building” insert “in England or Wales”;
 - (b) the existing provision becomes subsection (1);
 - (c) after that subsection insert—
 - “(2) In subsection (1)—
 - (a) the reference to a building which was listed includes a building in Wales which was included in the list maintained under section 76 of the Historic Environment (Wales) Act 2023;
 - (b) in relation to such a building—
 - (i) the reference to section 50 of this Act is to be read as a reference to section 140 of that Act;
 - (ii) the reference to listed building consent is a reference to consent under section 89 of that Act.”

Commencement Information

I127 Sch. 13 para. 127 not in force at Royal Assent, see [s. 212\(2\)](#)

- 128 In section 52(1)—
- (a) in the words before paragraph (a)—
 - (i) for “, county borough,” substitute “in England,”;
 - (ii) after “joint planning board for an area” insert “in England”;
 - (b) in paragraph (a), after “building” insert “situated wholly or mainly in England”.

Commencement Information

I128 Sch. 13 para. 128 not in force at Royal Assent, see [s. 212\(2\)](#)

- 129 In section 53(3), omit “if they relate to property situated in England”.

Commencement Information

I129 Sch. 13 para. 129 not in force at Royal Assent, see [s. 212\(2\)](#)

- 130 In section 54—
- (a) in subsection (2)—
 - (i) in paragraph (a), omit “if the building is in England”;
 - (ii) omit paragraph (b);
 - (b) in subsection (4), omit “, in the case of a building in England,”;
 - (c) omit subsection (4A);
 - (d) omit subsection (5A);
 - (e) in subsection (6), omit “or (5A)”.

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Commencement Information

I130 Sch. 13 para. 130 not in force at Royal Assent, see [s. 212\(2\)](#)

131 In section 55, omit subsections (5A) to (5G).

Commencement Information

I131 Sch. 13 para. 131 not in force at Royal Assent, see [s. 212\(2\)](#)

132 In section 57(7)—
(a) in paragraph (a), for “, county borough,” substitute “in England,”;
(b) in paragraph (b), after “principal Act” insert “for an area in England”.

Commencement Information

I132 Sch. 13 para. 132 not in force at Royal Assent, see [s. 212\(2\)](#)

133 In section 60(2), omit “, 3A”.

Commencement Information

I133 Sch. 13 para. 133 not in force at Royal Assent, see [s. 212\(2\)](#)

134 In section 61(2), for “sections 2B, 3, 3A,” substitute “sections 3,”.

Commencement Information

I134 Sch. 13 para. 134 not in force at Royal Assent, see [s. 212\(2\)](#)

135 In section 62(2), omit paragraph (za).

Commencement Information

I135 Sch. 13 para. 135 not in force at Royal Assent, see [s. 212\(2\)](#)

136 In section 66, after subsection (4) insert—
“(5) In this section, “listed building includes a listed building (within the meaning given by section 76 of the Historic Environment (Wales) Act 2023) situated in Wales.”

Commencement Information

I136 Sch. 13 para. 136 not in force at Royal Assent, see [s. 212\(2\)](#)

137 In section 70—
(a) in subsection (5)(b), omit “it affects an area in England and”;
(b) in subsection (6)(b), omit “if it affects an area in England,”.

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Commencement Information

I137 Sch. 13 para. 137 not in force at Royal Assent, see [s. 212\(2\)](#)

138 In section 74—

- (a) omit subsections (1), (1A) and (2);
- (b) in subsection (2A), omit “in England”;
- (c) omit subsections (3) and (4).

Commencement Information

I138 Sch. 13 para. 138 not in force at Royal Assent, see [s. 212\(2\)](#)

139 In section 75—

- (a) omit subsection (6);
- (b) omit subsection (10);
- (c) in subsection (11), omit “under section 9 or 43 or”.

Commencement Information

I139 Sch. 13 para. 139 not in force at Royal Assent, see [s. 212\(2\)](#)

140 In section 76(2), omit “in respect of a building in England”.

Commencement Information

I140 Sch. 13 para. 140 not in force at Royal Assent, see [s. 212\(2\)](#)

141 In section 77—

- (a) in subsection (1), omit “situated in England”;
- (b) omit subsection (2);
- (c) in subsection (3), omit “or (2)”;
- (d) in subsection (4), omit “or, as the case may be, the Secretary of State”;
- (e) omit subsection (6).

Commencement Information

I141 Sch. 13 para. 141 not in force at Royal Assent, see [s. 212\(2\)](#)

142 In section 79—

- (a) in subsection (1), omit “, or the Secretary of State and one or more local authorities in Wales.”;
- (b) in subsection (3), omit paragraph (aa).

Commencement Information

I142 Sch. 13 para. 142 not in force at Royal Assent, see [s. 212\(2\)](#)

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- 143 In section 80—
- (a) in subsection (1)(b), omit “in England”;
 - (b) omit subsection (2);
 - (c) in subsection (3), omit “or, as the case may be, the Secretary of State” in both places;
 - (d) in subsection (5), omit “or the Secretary of State”.

Commencement Information

I143 Sch. 13 para. 143 not in force at Royal Assent, see [s. 212\(2\)](#)

- 144 In section 81, after ““local planning authority”” insert “means a local planning authority for an area in England and”.

Commencement Information

I144 Sch. 13 para. 144 not in force at Royal Assent, see [s. 212\(2\)](#)

- 145 In section 82—
- (a) in subsection (1)—
 - (i) omit “, (2)”;
 - (ii) omit “to 2D,”;
 - (b) in subsection (3)—
 - (i) omit “2B, 2C,”;
 - (ii) omit “28B,”;
 - (iii) omit “, 1A”.

Commencement Information

I145 Sch. 13 para. 145 not in force at Royal Assent, see [s. 212\(2\)](#)

- 146 In section 82A(2), omit paragraph (fa).

Commencement Information

I146 Sch. 13 para. 146 not in force at Royal Assent, see [s. 212\(2\)](#)

- 147 In section 86(2)—
- (a) in paragraph (a), omit “if the property is situated in England, then”;
 - (b) in paragraph (b), omit “in any case,”.

Commencement Information

I147 Sch. 13 para. 147 not in force at Royal Assent, see [s. 212\(2\)](#)

- 148 In section 88—
- (a) omit subsection (3A);
 - (b) in subsection (4), for “, 28B, 29 or 44D” substitute “or 29”.

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Commencement Information

I148 Sch. 13 para. 148 not in force at Royal Assent, see [s. 212\(2\)](#)

149 In section 88B, omit subsection (1A).

Commencement Information

I149 Sch. 13 para. 149 not in force at Royal Assent, see [s. 212\(2\)](#)

150 In section 88D—
 (a) in the heading, omit “: England”;
 (b) in subsection (7), in paragraphs (a), (b) and (c), omit “in England”.

Commencement Information

I150 Sch. 13 para. 150 not in force at Royal Assent, see [s. 212\(2\)](#)

151 Omit section 88E.

Commencement Information

I151 Sch. 13 para. 151 not in force at Royal Assent, see [s. 212\(2\)](#)

152 In section 89—
 (a) in subsection (1)—
 (i) omit the entry for sections 319ZA to 319ZD;
 (ii) in the entry for section 322, omit “: England”;
 (iii) omit the entry for section 322C;
 (iv) in the entry for section 323, omit “: England”;
 (v) omit the entry for section 323A;
 (b) in subsection (1A), omit “In the case of a building situated in England”.

Commencement Information

I152 Sch. 13 para. 152 not in force at Royal Assent, see [s. 212\(2\)](#)

153 In section 90(5), after “council of a county” insert “in England”.

Commencement Information

I153 Sch. 13 para. 153 not in force at Royal Assent, see [s. 212\(2\)](#)

154 In section 91—
 (a) in subsection (1)—
 (i) in the definition of “building preservation notice”, for “sections 3(1) and 3A(1)” substitute “section 3(1);
 (ii) omit the definition of “interim protection”;

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- (b) in subsection (2), in the words after the list of expressions, omit “, 26L or 26M”.

Commencement Information

I154 Sch. 13 para. 154 not in force at Royal Assent, see [s. 212\(2\)](#)

155 In section 93—

- (a) in subsection (1), omit “in relation to England and the Welsh Ministers may make regulations under this Act in relation to Wales”;
- (b) in subsection (3)—
- (i) omit “, other than regulations under section 2A, 26M or 56A,”;
- (ii) omit “(in the case of regulations made by the Secretary of State) or the National Assembly for Wales (in the case of regulations made by the Welsh Ministers)”;
- (c) omit subsection (3A);
- (d) in subsection (4)—
- (i) omit “55(5B),”;
- (ii) omit “, 88E”;
- (e) in subsection (5)—
- (i) omit “55(5B),”;
- (ii) omit “(in the case of an order made by the Secretary of State) or the National Assembly for Wales (in the case of an order made by the Welsh Ministers)”;
- (f) in subsection (6), omit “or (as the case may be) the Welsh Ministers”.

Commencement Information

I155 Sch. 13 para. 155 not in force at Royal Assent, see [s. 212\(2\)](#)

156 In Schedule 1, in paragraph 2—

- (a) in sub-paragraph (3), omit “situated in England”;
- (b) omit sub-paragraph (4).

Commencement Information

I156 Sch. 13 para. 156 not in force at Royal Assent, see [s. 212\(2\)](#)

157 Omit Schedules 1A and 1B.

Commencement Information

I157 Sch. 13 para. 157 not in force at Royal Assent, see [s. 212\(2\)](#)

158 In Schedule 2—

- (a) in paragraph 1—
- (i) after sub-paragraph (a) insert “or”;
- (ii) omit sub-paragraphs (c) and (d);

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- (b) in paragraph 2, for “, 43 or 44C” substitute “or 43”;
- (c) omit paragraph 5.

Commencement Information

I158 Sch. 13 para. 158 not in force at Royal Assent, see [s. 212\(2\)](#)

159 In Schedule 3—

- (a) in paragraph 2—
 - (i) omit sub-paragraph (4B);
 - (ii) omit sub-paragraph (10);
- (b) in paragraph 3—
 - (i) omit sub-paragraphs (4C) and (4D);
 - (ii) in sub-paragraph (5), omit “or (4D)”;
- (c) in paragraph 6—
 - (i) omit sub-paragraph (1B);
 - (ii) in sub-paragraph (2)(a), omit “or this paragraph”;
 - (iii) in sub-paragraph (4), omit “in England”;
 - (iv) omit sub-paragraph (4A);
 - (v) in sub-paragraph (5), for “inquiry held by virtue of this paragraph” substitute “such inquiry”;
 - (vi) in sub-paragraph (8), omit “in England”;
- (d) in paragraph 7, omit sub-paragraph (3);
- (e) omit paragraph 8 and the italic heading before it.

Commencement Information

I159 Sch. 13 para. 159 not in force at Royal Assent, see [s. 212\(2\)](#)

160 In Schedule 4—

- (a) in paragraph 1—
 - (i) at the beginning of sub-paragraph (1), omit “(1)”;
 - (ii) omit sub-paragraph (2);
- (b) in paragraph 7(1)—
 - (i) omit “3A,”;
 - (ii) omit “44D,”.

Commencement Information

I160 Sch. 13 para. 160 not in force at Royal Assent, see [s. 212\(2\)](#)

Commencement Information

I93 Sch. 13 para. 93 not in force at Royal Assent, see [s. 212\(2\)](#)

I94 Sch. 13 para. 94 not in force at Royal Assent, see [s. 212\(2\)](#)

I95 Sch. 13 para. 95 not in force at Royal Assent, see [s. 212\(2\)](#)

I96 Sch. 13 para. 96 not in force at Royal Assent, see [s. 212\(2\)](#)

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- I97 Sch. 13 para. 97 not in force at Royal Assent, see s. 212(2)
- I98 Sch. 13 para. 98 not in force at Royal Assent, see s. 212(2)
- I99 Sch. 13 para. 99 not in force at Royal Assent, see s. 212(2)
- I100 Sch. 13 para. 100 not in force at Royal Assent, see s. 212(2)
- I101 Sch. 13 para. 101 not in force at Royal Assent, see s. 212(2)
- I102 Sch. 13 para. 102 not in force at Royal Assent, see s. 212(2)
- I103 Sch. 13 para. 103 not in force at Royal Assent, see s. 212(2)
- I104 Sch. 13 para. 104 not in force at Royal Assent, see s. 212(2)
- I105 Sch. 13 para. 105 not in force at Royal Assent, see s. 212(2)
- I106 Sch. 13 para. 106 not in force at Royal Assent, see s. 212(2)
- I107 Sch. 13 para. 107 not in force at Royal Assent, see s. 212(2)
- I108 Sch. 13 para. 108 not in force at Royal Assent, see s. 212(2)
- I109 Sch. 13 para. 109 not in force at Royal Assent, see s. 212(2)
- I110 Sch. 13 para. 110 not in force at Royal Assent, see s. 212(2)
- I111 Sch. 13 para. 111 not in force at Royal Assent, see s. 212(2)
- I112 Sch. 13 para. 112 not in force at Royal Assent, see s. 212(2)
- I113 Sch. 13 para. 113 not in force at Royal Assent, see s. 212(2)
- I114 Sch. 13 para. 114 not in force at Royal Assent, see s. 212(2)
- I115 Sch. 13 para. 115 not in force at Royal Assent, see s. 212(2)
- I116 Sch. 13 para. 116 not in force at Royal Assent, see s. 212(2)
- I117 Sch. 13 para. 117 not in force at Royal Assent, see s. 212(2)
- I118 Sch. 13 para. 118 not in force at Royal Assent, see s. 212(2)
- I119 Sch. 13 para. 119 not in force at Royal Assent, see s. 212(2)
- I120 Sch. 13 para. 120 not in force at Royal Assent, see s. 212(2)
- I121 Sch. 13 para. 121 not in force at Royal Assent, see s. 212(2)
- I122 Sch. 13 para. 122 not in force at Royal Assent, see s. 212(2)
- I123 Sch. 13 para. 123 not in force at Royal Assent, see s. 212(2)
- I124 Sch. 13 para. 124 not in force at Royal Assent, see s. 212(2)
- I125 Sch. 13 para. 125 not in force at Royal Assent, see s. 212(2)
- I126 Sch. 13 para. 126 not in force at Royal Assent, see s. 212(2)
- I127 Sch. 13 para. 127 not in force at Royal Assent, see s. 212(2)
- I128 Sch. 13 para. 128 not in force at Royal Assent, see s. 212(2)
- I129 Sch. 13 para. 129 not in force at Royal Assent, see s. 212(2)
- I130 Sch. 13 para. 130 not in force at Royal Assent, see s. 212(2)
- I131 Sch. 13 para. 131 not in force at Royal Assent, see s. 212(2)
- I132 Sch. 13 para. 132 not in force at Royal Assent, see s. 212(2)
- I133 Sch. 13 para. 133 not in force at Royal Assent, see s. 212(2)
- I134 Sch. 13 para. 134 not in force at Royal Assent, see s. 212(2)
- I135 Sch. 13 para. 135 not in force at Royal Assent, see s. 212(2)
- I136 Sch. 13 para. 136 not in force at Royal Assent, see s. 212(2)
- I137 Sch. 13 para. 137 not in force at Royal Assent, see s. 212(2)
- I138 Sch. 13 para. 138 not in force at Royal Assent, see s. 212(2)
- I139 Sch. 13 para. 139 not in force at Royal Assent, see s. 212(2)
- I140 Sch. 13 para. 140 not in force at Royal Assent, see s. 212(2)
- I141 Sch. 13 para. 141 not in force at Royal Assent, see s. 212(2)
- I142 Sch. 13 para. 142 not in force at Royal Assent, see s. 212(2)
- I143 Sch. 13 para. 143 not in force at Royal Assent, see s. 212(2)
- I144 Sch. 13 para. 144 not in force at Royal Assent, see s. 212(2)
- I145 Sch. 13 para. 145 not in force at Royal Assent, see s. 212(2)
- I146 Sch. 13 para. 146 not in force at Royal Assent, see s. 212(2)
- I147 Sch. 13 para. 147 not in force at Royal Assent, see s. 212(2)
- I148 Sch. 13 para. 148 not in force at Royal Assent, see s. 212(2)
- I149 Sch. 13 para. 149 not in force at Royal Assent, see s. 212(2)

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- I150** Sch. 13 para. 150 not in force at Royal Assent, see [s. 212\(2\)](#)
- I151** Sch. 13 para. 151 not in force at Royal Assent, see [s. 212\(2\)](#)
- I152** Sch. 13 para. 152 not in force at Royal Assent, see [s. 212\(2\)](#)
- I153** Sch. 13 para. 153 not in force at Royal Assent, see [s. 212\(2\)](#)
- I154** Sch. 13 para. 154 not in force at Royal Assent, see [s. 212\(2\)](#)
- I155** Sch. 13 para. 155 not in force at Royal Assent, see [s. 212\(2\)](#)
- I156** Sch. 13 para. 156 not in force at Royal Assent, see [s. 212\(2\)](#)
- I157** Sch. 13 para. 157 not in force at Royal Assent, see [s. 212\(2\)](#)
- I158** Sch. 13 para. 158 not in force at Royal Assent, see [s. 212\(2\)](#)
- I159** Sch. 13 para. 159 not in force at Royal Assent, see [s. 212\(2\)](#)
- I160** Sch. 13 para. 160 not in force at Royal Assent, see [s. 212\(2\)](#)

Planning and Compensation Act 1991 (c. 34)

- 161 In Part 1 of Schedule 18 to the Planning and Compensation Act 1991, after the entry relating to section 29(5) of the Land Drainage Act 1991 insert—

“Section 8 of the Historic Environment (Wales) Act 2023	Date interim protection takes effect
Section 21 of that Act	Date scheduled monument consent is refused or granted subject to conditions
Section 24 of that Act	Date works ceased to be authorised
Section 28 of that Act	Date notice of proposed termination is served
Section 34 of that Act	Date temporary stop notice takes effect
Section 70 of that Act	Date damage is caused
Section 80 of that Act	Date interim protection takes effect
Section 86 of that Act	Date temporary listing notice is served
Section 108 of that Act	Date modification or revocation of consent takes effect
Section 116 of that Act	Date termination of agreement or provision takes effect
Section 122 of that Act	Date temporary stop notice takes effect
Section 155(4) of that Act	Date damage is caused”

Commencement Information

- I161** Sch. 13 para. 161 not in force at Royal Assent, see [s. 212\(2\)](#)

Coal Mining Subsidence Act 1991 (c. 45)

- 162 In section 19 of the Coal Mining Subsidence Act 1991, after subsection (1) insert—

“(1A) This section also applies where any property in Wales which—
 (a) is a scheduled monument within the meaning given by section 3 of the Historic Environment (Wales) Act 2023,

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- (b) has been notified to the Corporation by the Secretary of State as a monument of special historic interest, within the meaning given by section 75(6) of that Act, for the time being under the guardianship of the Welsh Ministers, or
- (c) is a listed building within the meaning given by section 76 of that Act, and is not of a description specified in an order made by the Secretary of State,

is affected by subsidence damage and the character of the property as one of historic, architectural, archaeological or other special interest is or may be affected by that damage.”

Commencement Information

I162 Sch. 13 para. 162 not in force at Royal Assent, see [s. 212\(2\)](#)

Land Drainage Act 1991 (c. 59)

- 163 In section 67(3) of the Land Drainage Act 1991, after “the Ancient Monuments and Archaeological Areas Act 1979” insert “or Part 2 of the Historic Environment (Wales) Act 2023”.

Commencement Information

I163 Sch. 13 para. 163 not in force at Royal Assent, see [s. 212\(2\)](#)

Protection of Badgers Act 1992 (c. 51)

- 164 In section 10(1)(e) of the Protection of Badgers Act 1992, after “the Ancient Monuments and Archaeological Areas Act 1979” insert “or section 3 of the Historic Environment (Wales) Act 2023”.

Commencement Information

I164 Sch. 13 para. 164 not in force at Royal Assent, see [s. 212\(2\)](#)

Tribunals and Inquiries Act 1992 (c. 53)

- 165 In section 16(1) of the Tribunals and Inquiries Act 1992, in the definition of “statutory inquiry”, for “the Planning (Listed Buildings and Conservation Areas) Act 1990” substitute “Parts 3 to 5 of the Historic Environment (Wales) Act 2023”.

Commencement Information

I165 Sch. 13 para. 165 not in force at Royal Assent, see [s. 212\(2\)](#)

Leasehold Reform, Housing and Urban Development Act 1993 (c. 28)

- 166 In section 70 of the Leasehold Reform, Housing and Urban Development Act 1993—

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- (a) in subsection (14)—
- (i) in the words before paragraph (a), for “in section 73” substitute “section 73 as they apply in relation to England,”;
 - (ii) in paragraph (a), after “Town and Country Planning Act 1990” insert “as it applies in relation to England,”;
- (b) after subsection (14) insert—
- “(15) In this section and section 73 as they apply in relation to Wales—
- (a) “conservation area” has the same meaning as in the Historic Environment (Wales) Act 2023;
 - (b) “local planning authority” is to be interpreted in accordance with Part 1 of the Town and Country Planning Act 1990,
- and in that Part as it applies in relation to Wales references to “the planning Acts are to be treated as including this Act.”

Commencement Information

I166 Sch. 13 para. 166 not in force at Royal Assent, see [s. 212\(2\)](#)

Local Government (Wales) Act 1994 (c. 19)

167 The Local Government (Wales) Act 1994 is amended as follows.

Commencement Information

I167 Sch. 13 para. 167 not in force at Royal Assent, see [s. 212\(2\)](#)

168 In Schedule 6, omit paragraph 25 and the italic heading before it.

Commencement Information

I168 Sch. 13 para. 168 not in force at Royal Assent, see [s. 212\(2\)](#)

169 In Schedule 16, omit paragraph 56 and the italic heading before it.

Commencement Information

I169 Sch. 13 para. 169 not in force at Royal Assent, see [s. 212\(2\)](#)

Commencement Information

I167 Sch. 13 para. 167 not in force at Royal Assent, see [s. 212\(2\)](#)

I168 Sch. 13 para. 168 not in force at Royal Assent, see [s. 212\(2\)](#)

I169 Sch. 13 para. 169 not in force at Royal Assent, see [s. 212\(2\)](#)

Value Added Tax Act 1994 (c. 23)

170 In Schedule 8 to the Value Added Tax Act 1994, in Group 6, in Note (1)—

Status: Point in time view as at 15/06/2023. This version of this schedule contains provisions that are prospective.
Changes to legislation: Historic Environment (Wales) Act 2023, SCHEDULE 13 is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) in paragraph (a), after sub-paragraph (i) insert—
“(ia) the Historic Environment (Wales) Act 2023; or”;
- (b) in paragraph (b), after sub-paragraph (i) insert—
“(ia) the Historic Environment (Wales) Act 2023; or”.

Commencement Information

I170 Sch. 13 para. 170 not in force at Royal Assent, see s. 212(2)

Criminal Justice and Public Order Act 1994 (c. 33)

171 The Criminal Justice and Public Order Act 1994 is amended as follows.

Commencement Information

I171 Sch. 13 para. 171 not in force at Royal Assent, see s. 212(2)

172 In section 60C(8), in paragraph (b) of the definition of “land”, after “the Ancient Monuments and Archaeological Areas Act 1979” insert “or the Historic Environment (Wales) Act 2023”.

Commencement Information

I172 Sch. 13 para. 172 not in force at Royal Assent, see s. 212(2)

173 In section 61(9), in paragraph (a)(ii) of the definition of “land”, after “the Ancient Monuments and Archaeological Areas Act 1979” insert “or the Historic Environment (Wales) Act 2023”.

Commencement Information

I173 Sch. 13 para. 173 not in force at Royal Assent, see s. 212(2)

174 In section 62E(2)(b), after “the Ancient Monuments and Archaeological Areas Act 1979” insert “or the Historic Environment (Wales) Act 2023”.

Commencement Information

I174 Sch. 13 para. 174 not in force at Royal Assent, see s. 212(2)

Commencement Information

I171 Sch. 13 para. 171 not in force at Royal Assent, see s. 212(2)

I172 Sch. 13 para. 172 not in force at Royal Assent, see s. 212(2)

I173 Sch. 13 para. 173 not in force at Royal Assent, see s. 212(2)

I174 Sch. 13 para. 174 not in force at Royal Assent, see s. 212(2)

Status: Point in time view as at 15/06/2023. This version of this schedule contains provisions that are prospective.
Changes to legislation: *Historic Environment (Wales) Act 2023, SCHEDULE 13 is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

Environment Act 1995 (c. 25)

- 175 In Schedule 9 to the Environment Act 1995, in paragraph 13(1), omit “and in section 6 of the Historic Buildings and Ancient Monuments Act 1953 (under which grants for the acquisition of buildings in Wales may be made)”.

Commencement Information

I175 Sch. 13 para. 175 not in force at Royal Assent, see [s. 212\(2\)](#)

Planning (Consequential Provisions) (Scotland) Act 1997 (c. 11)

- 176 In Schedule 2 to the Planning (Consequential Provisions) (Scotland) Act 1997, in paragraph 4, omit sub-paragraph (2).

Commencement Information

I176 Sch. 13 para. 176 not in force at Royal Assent, see [s. 212\(2\)](#)

National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672)

- 177 In Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999, omit the entries for—
- (a) the Historic Buildings and Ancient Monuments Act 1953;
 - (b) the Mines (Working Facilities and Support) Act 1966;
 - (c) the Ancient Monuments and Archaeological Areas Act 1979;
 - (d) the Planning (Listed Buildings and Conservation Areas) Act 1990.

Commencement Information

I177 Sch. 13 para. 177 not in force at Royal Assent, see [s. 212\(2\)](#)

Countryside and Rights of Way Act 2000 (c. 37)

- 178 The Countryside and Rights of Way Act 2000 is amended as follows.

Commencement Information

I178 Sch. 13 para. 178 not in force at Royal Assent, see [s. 212\(2\)](#)

- 179 In section 15(1), after paragraph (d) insert—

“or

- (e) the public have access to it under subsection (1) of section 55 of the Historic Environment (Wales) Act 2023 (public access to monuments under public control) or would have access to it under that subsection but for any of the things mentioned in paragraphs (a) to (c) of that subsection.”

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Changes to legislation: Historic Environment (Wales) Act 2023, SCHEDULE 13 is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Commencement Information

I179 Sch. 13 para. 179 not in force at Royal Assent, see [s. 212\(2\)](#)

180 In section 26(3)(b)(i), after “the Ancient Monuments and Archaeological Areas Act 1979” insert “or section 3 of the Historic Environment (Wales) Act 2023”.

Commencement Information

I180 Sch. 13 para. 180 not in force at Royal Assent, see [s. 212\(2\)](#)

Commencement Information

I178 Sch. 13 para. 178 not in force at Royal Assent, see [s. 212\(2\)](#)

I179 Sch. 13 para. 179 not in force at Royal Assent, see [s. 212\(2\)](#)

I180 Sch. 13 para. 180 not in force at Royal Assent, see [s. 212\(2\)](#)

Planning and Compulsory Purchase Act 2004 (c. 5)

181 In section 81 of the Planning and Compulsory Purchase Act 2004, omit subsection (2).

Commencement Information

I181 Sch. 13 para. 181 not in force at Royal Assent, see [s. 212\(2\)](#)

Government of Wales Act 2006 (c. 32)

182 The Government of Wales Act 2006 is amended as follows.

Commencement Information

I182 Sch. 13 para. 182 not in force at Royal Assent, see [s. 212\(2\)](#)

183 In Schedule 3A, in the table in paragraph 1, omit the entry relating to paragraph 6(6) of Schedule 3 to the Planning (Listed Buildings and Conservation Areas) Act 1990.

Commencement Information

I183 Sch. 13 para. 183 not in force at Royal Assent, see [s. 212\(2\)](#)

184 In Schedule 10, omit paragraph 36.

Commencement Information

I184 Sch. 13 para. 184 not in force at Royal Assent, see [s. 212\(2\)](#)

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Changes to legislation: *Historic Environment (Wales) Act 2023, SCHEDULE 13 is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

Commencement Information

- I182** Sch. 13 para. 182 not in force at Royal Assent, see [s. 212\(2\)](#)
I183 Sch. 13 para. 183 not in force at Royal Assent, see [s. 212\(2\)](#)
I184 Sch. 13 para. 184 not in force at Royal Assent, see [s. 212\(2\)](#)

National Assembly for Wales Commission (Crown Status) (No. 2) Order 2007 (S.I. 2007/1353)

- 185 In the National Assembly for Wales Commission (Crown Status) (No. 2) Order 2007—
 (a) omit article 3;
 (b) omit article 5.

Commencement Information

- I185** Sch. 13 para. 185 not in force at Royal Assent, see [s. 212\(2\)](#)

Regulatory Enforcement and Sanctions Act 2008 (c. 13)

- 186 In Schedule 7 to the Regulatory Enforcement and Sanctions Act 2008, at the appropriate place insert—
 “Historic Environment (Wales) Act 2023, section 147”.

Commencement Information

- I186** Sch. 13 para. 186 not in force at Royal Assent, see [s. 212\(2\)](#)

Planning Act 2008 (c. 29)

- 187 In Schedule 2 to the Planning Act 2008, omit paragraph 41.

Commencement Information

- I187** Sch. 13 para. 187 not in force at Royal Assent, see [s. 212\(2\)](#)

Enterprise and Regulatory Reform Act 2013 (c. 24)

- 188 In Schedule 17 to the Enterprise and Regulatory Reform Act 2013, in paragraph 12—
 (a) omit sub-paragraph (2);
 (b) omit sub-paragraphs (4) and (5).

Commencement Information

- I188** Sch. 13 para. 188 not in force at Royal Assent, see [s. 212\(2\)](#)

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Changes to legislation: Historic Environment (Wales) Act 2023, SCHEDULE 13 is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Planning (Wales) Act 2015 (anaw 4)

189 The Planning (Wales) Act 2015 is amended as follows.

Commencement Information

I189 Sch. 13 para. 189 not in force at Royal Assent, see [s. 212\(2\)](#)

190 Omit section 39(3).

Commencement Information

I190 Sch. 13 para. 190 not in force at Royal Assent, see [s. 212\(2\)](#)

191 Omit section 47(3).

Commencement Information

I191 Sch. 13 para. 191 not in force at Royal Assent, see [s. 212\(2\)](#)

192 In Schedule 5, omit paragraphs 19 to 22 and the italic heading before paragraph 19.

Commencement Information

I192 Sch. 13 para. 192 not in force at Royal Assent, see [s. 212\(2\)](#)

Commencement Information

I189 Sch. 13 para. 189 not in force at Royal Assent, see [s. 212\(2\)](#)

I190 Sch. 13 para. 190 not in force at Royal Assent, see [s. 212\(2\)](#)

I191 Sch. 13 para. 191 not in force at Royal Assent, see [s. 212\(2\)](#)

I192 Sch. 13 para. 192 not in force at Royal Assent, see [s. 212\(2\)](#)

Historic Environment (Wales) Act 2016 (anaw 4)

193 The Historic Environment (Wales) Act 2016 is repealed.

Commencement Information

I193 Sch. 13 para. 193 not in force at Royal Assent, see [s. 212\(2\)](#)

Housing and Planning Act 2016 (c. 22)

194 In section 5(8) of the Housing and Planning Act 2016, in the new section 70(3) of the Town and Country Planning Act 1990, after paragraph (c) insert—
“(ca) section 160 of the Historic Environment (Wales) Act 2023;”.

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Commencement Information

I194 Sch. 13 para. 194 not in force at Royal Assent, see [s. 212\(2\)](#)

Public Services Ombudsman (Wales) Act 2019 (anaw 3)

- 195 In Schedule 5 to the Public Services Ombudsman (Wales) Act 2019—
- (a) omit paragraph 10 and the italic heading before it;
 - (b) omit paragraphs 13 and 14 and the italic heading before paragraph 13.

Commencement Information

I195 Sch. 13 para. 195 not in force at Royal Assent, see [s. 212\(2\)](#)

Sentencing Act 2020 (c. 17)

- 196 In section 137(3) of the Sentencing Act 2020, for “is to be made” substitute “in England is to be made, and section 59 of the Historic Environment (Wales) Act 2023 makes equivalent provision for monuments in Wales”.

Commencement Information

I196 Sch. 13 para. 196 not in force at Royal Assent, see [s. 212\(2\)](#)

Status:

Point in time view as at 15/06/2023. This version of this schedule contains provisions that are prospective.

Changes to legislation:

Historic Environment (Wales) Act 2023, SCHEDULE 13 is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.