



# 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

#### **36 Service and taking effect of enforcement notice**

- (1) An enforcement notice must specify—
  - (a) the date on which it is to take effect, and
  - (b) the period within which the works specified in the notice must be stopped or the steps specified in it must be taken.
- (2) The notice takes effect at the beginning of the day specified under subsection (1)(a); but where an appeal is made against the notice under section 39, this is subject to subsection (4) of that section.
- (3) An enforcement notice may specify different periods for stopping different works or taking different steps.
- (4) Where the Welsh Ministers issue an enforcement notice, they must serve a copy of the notice on—
  - (a) every owner and occupier of the monument or land to which the notice relates,
  - (b) if the monument or land is let but the lessee is not the occupier, the lessee, and

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*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 36. (See end of Document for details)*

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- (c) any other person who has an interest in the monument or land which the Welsh Ministers consider to be materially affected by the notice.
- (5) Each copy of the notice must be served—
- (a) before the end of 28 days after the day the notice is issued, and
  - (b) at least 28 days before the date specified in the notice as the date on which it is to take effect.

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**Commencement Information**

- II** S. 36 not in force at Royal Assent, see [s. 212\(2\)](#)

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**Changes to legislation:**

There are currently no known outstanding effects for the Historic Environment (Wales) Act 2023, Section 36.