



Ancient Monuments and Archaeological Areas Act 1979

1979 CHAPTER 46

PART I

ANCIENT MONUMENTS

Protection of scheduled monuments

[^{F1}1AB Interim protection pending decisions on certain amendments relating to the Schedule

- (1) This section applies where the Welsh Ministers consult under section 1AA on a proposal to—
 - (a) include a monument in the Schedule; or
 - (b) make a material amendment of the kind described in section 1AA(5)(a) in relation to a monument in the Schedule.
- (2) The provisions of this Act have effect in relation to the monument, from the beginning of the day specified for the purposes of section 1AA(4)(c)(ii)—
 - (a) in the case of a proposal to include a monument in the Schedule, as if the monument were a scheduled monument; and
 - (b) in the case of a proposal to make a material amendment in relation to a monument in the Schedule, as if the amendment were made.
- (3) The protection conferred on a monument or area by virtue of subsection (2) is referred to in this Act as “interim protection”.
- (4) Interim protection conferred by virtue of subsection (2)(a) ceases to have effect—
 - (a) where the Welsh Ministers include the monument in the Schedule, from the beginning of the day specified in the notice for the purpose of section 1AE(2)(a); or

Changes to legislation: Ancient Monuments and Archaeological Areas Act 1979, Section 1AB is up to date with all changes known to be in force on or before 18 June 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) View outstanding changes

- (b) where the Welsh Ministers decide not to include the monument in the Schedule, from the beginning of the day specified in a notice issued to—
 - (i) the owner of the monument;
 - (ii) if the owner is not the occupier, the occupier of the monument; and
 - (iii) each local authority in whose area the monument is situated.
- (5) Interim protection conferred by virtue of subsection (2)(b) ceases to have effect—
 - (a) where the Welsh Ministers make the material amendment, from the beginning of the day specified in the notice for the purpose of section 1AE(2)(a); or
 - (b) where the Welsh Ministers decide not to make the material amendment, from the beginning of the day specified in a notice issued to—
 - (i) the owner of the monument;
 - (ii) if the owner is not the occupier, the occupier of the monument; and
 - (iii) each local authority in whose area the monument is situated.
- (6) The Welsh Ministers—
 - (a) must publish by electronic means a list containing particulars of each monument in relation to which interim protection has effect; and
 - (b) must, on request, provide a copy of the notice served under section 1AA(2) in respect of such a monument.]

Textual Amendments

- F1** Ss. 1AA-1AE inserted (E.W.) (21.3.2016 for specified purposes, 31.5.2017 in so far as not already in force) by [Historic Environment \(Wales\) Act 2016 \(anaw 4\)](#), **ss. 3(1), 41(1)(c)(3)**; S.I. 2017/633, **art. 5(a)** (with art. 6(1))

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(3A) inserted by [2023 asc 3 Sch. 13 para. 20\(b\)](#)
- s. 1AA-1AE omitted by [2023 asc 3 Sch. 13 para. 21](#)
- s. 7(4A) inserted by [2016 anaw 4 s. 10\(2\)](#)
- s. 33(1A) inserted by [2023 asc 3 Sch. 13 para. 35\(a\)](#)