



# National Heritage Act 1983

## 1983 CHAPTER 47

### *Historic Buildings and Monuments Commission for England*

#### **34 Commission to exercise certain ministerial functions.**

- (1) Subject to subsection (4), this section applies to—
- (a) functions of management exercisable by the Secretary of State for the Environment (whether by virtue of an enactment or otherwise) in relation to any ancient monument or historic building situated in England;
  - (b) functions of management exercisable by the Secretary of State for the Environment (whether by virtue of an enactment or otherwise), for purposes connected with such a monument or building, in relation to any land which is situated in England and which adjoins or is in the vicinity of the monument or building.

- (2) If the Secretary of State for the Environment directs the Commission to exercise functions to which this section applies and which are specified in the direction, in relation to any monument, building or land so specified, the Commission shall exercise them on his behalf in such manner as he may from time to time direct.

- (3) In subsection (1) “ancient monument” means any structure, work, site, [<sup>F1</sup>(including any site comprising, or comprising the remains of, any vehicle, vessel, aircraft or other movable structure or part thereof)] garden or area which in the opinion of the Secretary of State for the Environment is of historic, architectural, traditional, artistic or archaeological interest and “historic building” means any building which in his opinion is of historic or architectural interest.

[<sup>F2</sup>(3A) In this section references to ancient monuments in England include ancient monuments in, on or under the seabed within the seaward limits of the United Kingdom territorial waters adjacent to England; and an order under section 33(10) applies for the purposes of this subsection as it applies for the purposes of section 33(9).]

- (4) This section does not apply to—

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*Status: Point in time view as at 01/07/2002.*

*Changes to legislation: There are currently no known outstanding effects for the National Heritage Act 1983, Section 34. (See end of Document for details)*

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- (a) a function of making regulations or other instruments of a legislative character;
- (b) a function exercisable in relation to any royal palace or land adjoining it or in its vicinity.

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**Textual Amendments**

- F1** Words in s. 34(3) inserted (1.7.2002) by 2002 c. 14, ss. 2(1)(a), 8(2)
- F2** S. 34(3A) inserted (1.7.2002) by 2002 c. 14, ss. 2(1)(b), 8(2)

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**Modifications etc. (not altering text)**

- C1** S. 34: functions of the Secretary of State for the Environment transferred (3.7.1992) to Secretary of State for National Heritage by S.I. 1992/1311, art. 6(1)

**Status:**

Point in time view as at 01/07/2002.

**Changes to legislation:**

There are currently no known outstanding effects for the National Heritage Act 1983, Section 34.