



Historic Environment (Wales) Act 2016

2016 anaw 4

PART 2

ANCIENT MONUMENTS ETC

Modifications relating to offences

17 Restrictions on use of metal detectors

- (1) Section 42 of the [Ancient Monuments and Archaeological Areas Act 1979 \(c.46\)](#) (restrictions on use of metal detectors) is amended as follows.
- (2) In subsection (7), after “an offence under subsection (1) or (3) above” insert “relating to a protected place situated in England”.
- (3) After that subsection insert—
 - “(8) In proceedings for an offence under subsection (1) or (3) relating to a protected place situated in Wales, it is a defence for the accused to prove that the accused—
 - (a) had taken all reasonable steps to find out whether the place in which the metal detector was used was a protected place; and
 - (b) did not know, and had no reason to believe, that the place was a protected place.”