



Historic Environment (Wales) Act 2016

2016 anaw 4

PART 2

ANCIENT MONUMENTS ETC

Miscellaneous

20 Monuments in territorial waters

- (1) In section 53 of the [Ancient Monuments and Archaeological Areas Act 1979 \(c.46\)](#) (monuments in territorial waters), in subsection (2), after “shall describe the monument as lying off the coast of England, or of Scotland, or of Wales; and” insert “, subject to subsection (2B),”.
- (2) After subsection (2) of that section insert—
 - “(2A) The functions under this Act conferred on the Welsh Ministers by the Historic Environment (Wales) Act 2016 (as well as those already transferred to them) are exercisable in relation to Wales within the meaning of the Government of Wales Act 2006 (which includes the sea adjacent to Wales out as far as the seaward boundary of the territorial sea (see section 158(1) of that Act)).
 - (2B) Accordingly, a monument is not to be treated by virtue of section 53(2) as being in Wales unless it is situated in Wales within the meaning of section 158(1) of the Government of Wales Act 2006.”