



# Historic Environment (Wales) Act 2016

2016 anaw 4

## PART 2

### ANCIENT MONUMENTS ETC

#### *Scheduled monument consent*

#### **5 Simplification of process**

(1) In section 2 of the Ancient Monuments and Archaeological Areas Act 1979 (c.46) (control of works affecting scheduled monuments), after subsection (5) insert—

“(5A) In the case of a monument situated in Wales, the reference in subsection (3) (a) to the granting of written consent includes a reference to the granting of consent in such other manner as may be prescribed by the Welsh Ministers.

(5B) The Welsh Ministers may by regulations make provision as to the form and content of consent under this section in relation to a monument situated in Wales.”

(2) In Part 1 of Schedule 1 to that Act (applications for scheduled monument consent), at the end of paragraph 1 insert—

“(3) The Welsh Ministers may by regulations make provision as to cases in which an applicant for scheduled monument consent in relation to a monument situated in Wales may make the application otherwise than in the form provided for under sub-paragraph (1); and such provision may confer a discretion on the Welsh Ministers.”

#### **Commencement Information**

**I1** S. 5 in force at Royal Assent for specified purposes, see s. 41(1)(c)

**I2** S. 5 in force at 31.5.2017 in so far as not already in force by S.I. 2017/633, art. 5(b)

**Changes to legislation:**

Historic Environment (Wales) Act 2016, Section 5 is up to date with all changes known to be in force on or before 11 July 2023. 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.

[View outstanding changes](#)

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

- Act repealed by [2023 asc 3 Sch. 13 para. 193](#)