
STATUTORY INSTRUMENTS

1995 No. 1625

Historic Monuments and Archaeological
Objects (Northern Ireland) Order 1995

PART II

HISTORIC MONUMENTS

Guardianship of historic monuments

Termination of guardianship

17.—(1) Subject to the following provisions of this Article, where the Department is guardian of any monument, it may by agreement made with the owner of the monument—

- (a) exclude any part of the monument from guardianship; or
- (b) renounce guardianship of the monument;

but except as provided above the monument shall remain under guardianship (unless it is acquired by the Department) until guardianship is terminated under paragraph (4).

(2) The Department shall not enter into an agreement under paragraph (1) unless it is satisfied with respect to the part of the monument or (as the case may be) with respect to the whole of the monument in question—

- (a) that satisfactory arrangements have been made for ensuring its protection after termination of the guardianship; or
- (b) that it is no longer practicable to protect it (whether because of the cost of protecting it or otherwise).

(3) An agreement under paragraph (1) shall be made under seal.

(4) If a person who is not bound by the guardianship deed becomes owner of the monument, he may terminate the Department's guardianship of the monument by a notice in writing to that effect served on the Department.

(5) A notice served under paragraph (4) in respect of a monument has effect to terminate the Department's guardianship of the monument as from the date of service thereof.