

2024 No. 860 (W. 134) (C. 56)

**HISTORIC ENVIRONMENT,
WALES**

The Historic Environment (Wales)
Act 2023 (Commencement) Order
2024

EXPLANATORY NOTE

(This note is not part of the Order)

Section 212 of the Historic Environment (Wales) Act 2023 (“the 2023 Act”) brought the following provisions of that Act into force on 15 June 2023, which was the day after the Act received Royal Assent—

- (a) Part 1 (overview);
- (b) section 209 (regulations under that Act);
- (c) section 210 (interpretation);
- (d) section 211(3) and (4) (consequential and transitional provision in regulations);
- (e) section 212 (coming into force);
- (f) section 213 (short title).

This Order brings into force the remaining provisions of the 2023 Act, except section 147, which relates to steps for preservation of listed buildings in disrepair.

Article 2 brings specified powers to make regulations and directions into force on 9 September 2024.

Article 3 brings the remaining uncommenced provisions in the 2023 Act, except section 147, into force for remaining purposes from 4 November 2024.

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**The Historic Environment (Wales)
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Made

16 August 2024

The Welsh Ministers make the following Order in exercise of the power conferred on them by section 212(2) of the Historic Environment (Wales) Act 2023⁽¹⁾.

Title

1. The title of this Order is the Historic Environment (Wales) Act 2023 (Commencement) Order 2024.

Provisions coming into force on 9 September 2024

2.—(1) The following provisions of the Historic Environment (Wales) Act 2023 come into force on 9 September 2024—

- (a) section 14(3) (regulations relating to applying for scheduled monument consent);
- (b) section 26(5) and (6) (regulations relating to scheduled monument partnership agreements);
- (c) section 90(3), (4) and (5) (regulations relating to applying for listed building consent);
- (d) section 91(1), (2) and (4) (regulations relating to notice of application to owners of building);
- (e) section 92(2) (regulations relating to procedure for dealing with applications for listed building consent);

(1) 2023 asc 3.

- (f) section 95(4), (5), (6) and (7) (regulations and directions relating to notifying the Welsh Ministers before granting consent);
- (g) section 100(4)(a) (regulations specifying determination period for purposes of appeal);
- (h) section 101(3) and (5) (regulations relating to procedure for making appeal);
- (i) section 105 (regulations relating to applications by planning authorities and the Crown);
- (j) section 114(5) (regulations relating to listed building partnership agreements);
- (k) section 156(1) and (3) (regulations relating to exempt religious buildings);
- (l) section 161(2)(c) (regulations relating to requirement for demolition to be authorised);
- (m) section 170 (regulations relating to form of documents).

(2) The following provisions of the Historic Environment (Wales) Act 2023 come into force on 9 September 2024 for the purpose of making regulations—

- (a) section 102(1) (regulations relating to restriction on varying application after service of notice of appeal);
- (b) section 103(2) (regulations relating to period for determining appeal);
- (c) section 106(5) (regulations relating to applications relating to urgent works on Crown land);
- (d) section 107(3)(a) (introducing Part 1 of Schedule 8: procedure for orders modifying or revoking listed building consent);
- (e) section 146(1) (regulations relating to interest on costs of preservation works recovered);
- (f) Schedule 8, paragraph 3(2)(a) (regulations relating to procedure for modification or revocation orders to take effect without confirmation).

Provisions coming into force on 4 November 2024

3. The following provisions of the Historic Environment (Wales) Act 2023 come into force on 4 November 2024 in so far as they are not already in force—

- (a) Part 2;
- (b) Part 3 except section 147 (steps for preservation of listed buildings in disrepair);

- (c) Parts 4 to 7;
- (d) Schedules 1 to 14.

Jane Hutt

Cabinet Secretary for Culture, Social Justice, Trefnydd
and Chief Whip, one of the Welsh Ministers
16 August 2024