



Ancient Monuments and Archaeological Areas Act 1979

1979 CHAPTER 46

PART III

MISCELLANEOUS AND SUPPLEMENTAL

Supplemental

61 Interpretation. **E+W**

(1) In this Act—

[^{F1}“address”, in relation to electronic communications, means a number or address used for the purposes of such communications;]

“ancient monument” has the meaning given by subsection (12) below;

“area of archaeological importance” means an area designated as such under section 33 of this Act;

[^{F2}“the Commission” means the Historic Buildings and Monuments Commission for England;]

“designation order” means an order under that section;

[^{F3}“development consent” means development consent under the Planning Act 2008;]

[^{F1}“electronic communication” has the same meaning as in the Electronic Communications Act 2000;]

“enactment” includes an enactment in any local or private Act of Parliament, and an order, rule, regulation, byelaw or scheme made under an Act of Parliament;

“flooding operations” means covering land with water or any other liquid or partially liquid substance;

“functions” includes powers and duties;

“guardianship deed” has the meaning given by section 12(6) of this Act;

Status: There are multiple versions of this provision on screen. These apply to different geographical extents. Skip to: E+W - England and Wales extent S - Scotland extent

Changes to legislation: Ancient Monuments and Archaeological Areas Act 1979, Section 61 is up to date with all changes known to be in force on or before 23 April 2024. 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. (See end of Document for details) View outstanding changes

[^{F4}“interim protection” has the meaning given by section 1AB(3);]
“land” means—

- (a) in England and Wales, any corporeal hereditament;
- (b) in Scotland, any heritable property;

including a building or a monument and, in relation to any acquisition of land, includes any interest in or right over land;

“local authority” means—

- (a) in England ^{F5}... , the council of a county or district, ^{F6}... the council of a London borough, and the Common Council of the City of London;
- [^{F7}(aa) in Wales, the council of a county or county borough;]
- (b) in Scotland, the planning authority within the meaning of Part IX of the ^{M1}Local Government (Scotland) Act 1973;

“monument” has the meaning given by subsection (7) below;

“owner”, in relation to any land in England and Wales means (except for the purposes of [^{F8}sections 9ZA and 9ZB and] paragraph 2(1) of Schedule 1 to this Act and any regulations made for the purposes of that paragraph) a person, other than a mortgagee not in possession, who, whether in his own right or as trustee for any other person, is entitled to receive the rack rent of the land, or where the land is not let at a rack rent, would be so entitled if it were so let;

“possession” includes receipt of rents and profits or the right to receive rents and profits (if any);

“prescribed” means prescribed by regulations made by the Secretary of State;

“the Schedule” has the meaning given by section 1(1) of this Act;

“scheduled monument” has the meaning given by section 1(11) of this Act and references to “scheduled monument consent” shall be construed in accordance with section 2(3) [^{F9}and (3B)] and 3(5) of this Act;

^{F10} . . .

“tipping operations” means tipping soil or spoil or depositing building or other materials or matter (including waste materials or refuse) on any land; and

[^{F11}“universal postal service provider” means a universal service provider within the meaning of [^{F12}Part 3 of the Postal Services Act 2011]; and references to the provision of a universal postal service shall be construed in accordance with [^{F13}that Part].]

“works” includes operations of any description and, in particular (but without prejudice to the generality of the preceding provision) flooding or tipping operations and any operations undertaken for purposes of agriculture (within the meaning of [^{F14}the Town and Country Planning Act 1990] or, as regards Scotland, [^{F15}the Town and Country Planning (Scotland) Act 1997] or forestry (including afforestation).

(2) In this Act “statutory undertakers” means—

- (a) persons authorised by any enactment to carry on any railway, light railway, tramway, road transport, water transport, canal, inland navigation, dock, harbour, pier or lighthouse undertaking, or any undertaking for the supply of ^{F16}... , ^{F17}... [^{F18}or hydraulic power];
- (b) ^{F19}... the Civil Aviation Authority, the ^{F20}... , [^{F21}a universal postal service provider in connection with the provision of a universal postal service] and any other authority, body or undertakers which by virtue of any enactment are

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to be treated as statutory undertakers for any of the purposes of [F22the Town and Country Planning Act 1990] or of [F15the Town and Country Planning (Scotland) Act 1997]; and

- (c) any other authority, body or undertakers specified in an order made by the Secretary of State under this paragraph.

[F23(2A) The undertaking of a universal postal service provider so far as relating to the provision of a universal postal service shall be taken to be his statutory undertaking for the purposes of this Act; and references in this Act to his undertaking shall be construed accordingly.]

[F24(2B) Where—

- (a) an electronic communication is used for the purpose of serving or giving a notice or other document on or to any person for the purposes of this Act; and
(b) the communication is received by that person outside that person's business hours,

it is to be treated as having been received on the next working day; and in this subsection “working day” means a day which is not a Saturday, Sunday, Bank Holiday or other public holiday.]

(3) For the purposes of sections 14(1) and 21(2) of this Act and paragraph 6(1)(b) and (2) (b) of Schedule 3 to this Act a person shall be taken to be immediately affected by the operation of a guardianship deed relating to any land if he is bound by that deed and is in possession or occupation of the land.

(4) For the purposes of this Act “archaeological investigation” means any investigation of any land, objects or other material for the purpose of obtaining and recording any information of archaeological or historical interest and (without prejudice to the generality of the preceding provision) includes in the case of an archaeological investigation of any land—

- (a) any investigation for the purpose of discovering and revealing and (where appropriate) recovering and removing any objects or other material of archaeological or historical interest situated in, on or under the land; and
(b) examining, testing, treating, recording and preserving any such objects or material discovered during the course of any excavations or inspections carried out for the purposes of any such investigation.

(5) For the purposes of this Act, an archaeological examination of any land means any examination or inspection of the land (including any buildings or other structures thereon) for the purpose of obtaining and recording any information of archaeological or historical interest.

(6) In this Act [F25(other than in section 9ZA)] references to land associated with any monument (or to associated land) shall be construed in accordance with section 15(6) of this Act.

(7) “Monument” means (subject to subsection (8) below)—

- (a) any building, structure or work, whether above or below the surface of the land, and any cave or excavation;
(b) any site comprising the remains of any such building, structure or work or of any cave or excavation; F26...
(c) any site comprising, or comprising the remains of, any vehicle, vessel, aircraft or other movable structure or part thereof which neither constitutes nor forms part of any work which is a monument within paragraph (a) above; [F27and

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- (d) any site in Wales (other than one falling within paragraph (b) or (c) above) comprising any thing, or group of things, that evidences previous human activity;]

and any machinery attached to a monument shall be regarded as part of the monument if it could not be detached without being dismantled.

[^{F28}(7A) In subsection (7)(d) “Wales” has the meaning given by section 158(1) of the Government of Wales Act 2006.]

- (8) Subsection (7)(a) above does not apply to any ecclesiastical building for the time being used for ecclesiastical purposes, and subsection (7)(c) above does not apply—

- (a) to a site comprising any object or its remains unless the situation of that object or its remains in that particular site is a matter of public interest;
- (b) to a site comprising, or comprising the remains of, any vessel which is protected by an order under section 1 of the ^{M2}Protection of Wrecks Act 1973 designating an area round the site as a restricted area.

- (9) For the purposes of this Act, the site of a monument includes not only the land in or on which it is situated but also any land comprising or adjoining it which appears to the Secretary of State [^{F29}or the Commission] or a local authority, in the exercise in relation to that monument of any of their functions under this Act, to be essential for the monument’s support and preservation.

- (10) References in this Act to a monument include references—

- (a) to the site of the monument in question; and
- (b) to a group of monuments or any part of a monument or group of monuments.

- (11) References in this Act to the site of a monument—

- (a) are references to the monument itself where it consists of a site; and
- (b) in any other case include references to the monument itself.

- (12) “Ancient monument” means—

- (a) any scheduled monument; and
- (b) any other monument which in the opinion of the Secretary of State is of public interest by reason of the historic, architectural, traditional, artistic or archaeological interest attaching to it.

- (13) In this section “remains” includes any trace or sign of the previous existence of the thing in question.

Extent Information

- E1** This version of this provision extends to England and Wales only; a separate version has been created for Scotland only.

Textual Amendments

- F1** Words in s. 61(1) inserted (E.W.) (21.5.2016) by [Historic Environment \(Wales\) Act 2016 \(anaw 4\)](#), **ss. 21(4), 41(2)**
- F2** Definition inserted by [National Heritage Act 1983 \(c. 47, SIF 78\)](#), s. 41, **Sch. 4 para. 67(2)**
- F3** Words in s. 61(1) inserted (1.3.2010) by [Planning Act 2008 \(c. 29\)](#), s. 241(8), **Sch. 2 para. 20** (with s. 226); [S.I. 2010/101](#), art. 2 (with art. 6)
- F4** Words in s. 61(1) inserted (E.W.) (31.5.2017) by [Historic Environment \(Wales\) Act 2016 \(anaw 4\)](#), **ss. 4(6), 41(3)**; [S.I. 2017/633](#), art. 4(a) (with art. 6(1))

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- F5** Words in s. 61(1)(a) repealed (1.4.1996) by 1994 c. 19, s. 66(6)(8), Sch. 16 para. 56(3), **Sch. 18** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**
- F6** Words repealed by Local Government Act 1985 (c. 51, SIF 81:1), s. 102, **Sch. 17**
- F7** S. 61(1)(aa) inserted (1.4.1996) by 1994 c. 19, s. 66(6), **Sch. 16 para. 56(3)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**
- F8** Words in s. 61(1) inserted (E.W.) (21.3.2016 for specified purposes, 1.1.2022 in so far as not already in force) by Historic Environment (Wales) Act 2016 (anaw 4), **ss. 11(2)(a), 41(1)(c)(3); S.I. 2021/1059, art. 2(a)**
- F9** Words in s. 61(1) inserted (E.W.) (21.5.2016) by Historic Environment (Wales) Act 2016 (anaw 4), **ss. 6(2), 41(2)**
- F10** The definition of "statutory maximum" in s. 61(1) repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. XIV** Group 2
- F11** S. 61(1): definition of "universal postal provider" inserted (26.3.01) by S.I. 2001/1149, art. 3(1), **Sch. 1 para. 45(2)**
- F12** Words in s. 61(1) substituted (1.10.2011) by Postal Services Act 2011 (c. 5), s. 93(2)(3), **Sch. 12 para. 103(a); S.I. 2011/2329, art. 3**
- F13** Words in s. 61(1) substituted (1.10.2011) by Postal Services Act 2011 (c. 5), s. 93(2)(3), **Sch. 12 para. 103(b); S.I. 2011/2329, art. 3**
- F14** Words substituted by Planning (Consequential Provisions) Act 1990 (c. 11, SIF 123:1, 2), s. 4, **Sch. 2 para. 43(2)**
- F15** Words in s. 61(1)(2)(b) substituted (27.5.1997) by 1997 c. 11, ss. 4, 6(2), **Sch. 2 para. 29(2)**
- F16** Word repealed by Electricity Act 1989 (c.29, SIF 44:1), s. 112(3)(4), Sch. 17 para. 35, **Sch. 18**
- F17** Word repealed by Gas Act 1986 (c.44, SIF 44:2), s. 67(3)(4), Sch. 8 para. 17, **Sch. 9 Pt. I**
- F18** Words in s. 61(2)(a) substituted (E.W.) by Water Act 1989 (c. 15, SIF 130), ss. 58(7), 101(1), 146(6), 160(1)(2)(4), 189(4)-(10), 190, 193(1), Sch. 25 para. 58, Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), **58**
- F19** Words repealed by Airports Act 1986 (c. 31, SIF 9), s. 83(5), **Sch. 6 Pt. I**
- F20** Words in s. 61(2)(b) repealed (31.10.1994) by virtue of 1994 c. 21, s. 67, Sch. 9 para. 22, **Sch. 11 Pt. II; S.I. 1994/2553, art. 2**
- F21** Words in s. 61(2)(b) substituted (26.3.01) by S.I. 2001/1149, art. 3(1), **Sch. 1 para. 45(3)**
- F22** Words substituted by Planning (Consequential Provisions) Act 1990 (c. 11, SIF 123:1, 2), s. 4, **Sch. 2 para. 43(2)**
- F23** S. 61(2A) inserted (26.3.01) by S.I. 2001/1149, art. 3(1), **Sch. 1 para. 45(4)**
- F24** S. 61(2B) inserted (E.W.) (21.5.2016) by Historic Environment (Wales) Act 2016 (anaw 4), **ss. 21(5), 41(2)**
- F25** Words in s. 61(6) inserted (E.W.) (21.3.2016 for specified purposes, 1.1.2022 in so far as not already in force) by Historic Environment (Wales) Act 2016 (anaw 4), **ss. 11(2)(b), 41(1)(c)(3); S.I. 2021/1059, art. 2(a)**
- F26** Word in s. 61(7) omitted (E.W.) (21.5.2016) by virtue of Historic Environment (Wales) Act 2016 (anaw 4), **ss. 22(2)(a), 41(2)**
- F27** S. 61(7)(d) and word inserted (E.W.) (21.5.2016) by Historic Environment (Wales) Act 2016 (anaw 4), **ss. 22(2)(b), 41(2)**
- F28** S. 61(7A) inserted (21.5.2016) by Historic Environment (Wales) Act 2016 (anaw 4), **ss. 22(3), 41(2)**
- F29** Words inserted by National Heritage Act 1983 (c. 47, SIF 78), s. 41, **Sch. 4 para. 67(3)**

Marginal Citations

- M1** 1973 c. 65.
M2 1973 c. 33.

61 Interpretation. **S**

(1) In this Act—

“ancient monument” has the meaning given by subsection (12) below;

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“area of archaeological importance” means an area designated as such under section 33 of this Act;

[^{F30}“the Commission” means the Historic Buildings and Monuments Commission for England;]

“designation order” means an order under that section;

[^{F3} “ development consent ” means development consent under the Planning Act 2008;]

“enactment” includes an enactment in any local or private Act of Parliament, and an order, rule, regulation, byelaw or scheme made under an Act of Parliament;

“flooding operations” means covering land with water or any other liquid or partially liquid substance;

“functions” includes powers and duties;

“guardianship deed” has the meaning given by section 12(6) of this Act;

“land” means—

- (a) in England and Wales, any corporeal hereditament;
- (b) in Scotland, any heritable property;

including a building or a monument and, in relation to any acquisition of land, includes any interest in or right over land;

“local authority” means—

- (a) in England ^{F31}... , the council of a county or district, ^{F32}... the council of a London borough, and the Common Council of the City of London;

[^{F33}(aa) in Wales, the council of a county or county borough;]

- (b) in Scotland, the planning authority within the meaning of Part IX of the ^{M3}Local Government (Scotland) Act 1973;

“monument” has the meaning given by subsection (7) below;

“owner”, in relation to any land in England and Wales means (except for the purposes of paragraph 2(1) of Schedule 1 to this Act and any regulations made for the purposes of that paragraph) a person, other than a mortgagee not in possession, who, whether in his own right or as trustee for any other person, is entitled to receive the rack rent of the land, or where the land is not let at a rack rent, would be so entitled if it were so let;

[^{F34} “ period for compliance ” is to be construed in accordance with section 9B(1) and (2);]

“possession” includes receipt of rents and profits or the right to receive rents and profits (if any);

“prescribed” means prescribed by regulations made by the Secretary of State;

“the Schedule” has the meaning given by section 1(1) of this Act;

“scheduled monument” has the meaning given by section 1(11) of this Act and references to “scheduled monument consent” shall be construed in accordance with section 2(3) and 3(5) of this Act;

^{F35}
 . . .

“tipping operations” means tipping soil or spoil or depositing building or other materials or matter (including waste materials or refuse) on any land; and

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[^{F36}“universal postal service provider” means a universal service provider within the meaning of [^{F12}Part 3 of the Postal Services Act 2011]; and references to the provision of a universal postal service shall be construed in accordance with [^{F13}that Part].]

“works” includes operations of any description and, in particular (but without prejudice to the generality of the preceding provision) flooding or tipping operations and any operations undertaken for purposes of agriculture (within the meaning of [^{F37}the Town and Country Planning Act 1990] or, as regards Scotland, [^{F38}the Town and Country Planning (Scotland) Act 1997] or forestry (including afforestation).

- (2) In this Act “statutory undertakers” means—
- (a) persons authorised by any enactment to carry on any railway, light railway, tramway, road transport, water transport, canal, inland navigation, dock, harbour, pier or lighthouse undertaking, or any undertaking for the supply of ^{F39}... , ^{F40}... hydraulic power or water ;
 - (b) ^{F41}... the Civil Aviation Authority, the ^{F42}... , [^{F43}a universal postal service provider in connection with the provision of a universal postal service]and any other authority, body or undertakers which by virtue of any enactment are to be treated as statutory undertakers for any of the purposes of [^{F44}the Town and Country Planning Act 1990] or of [^{F38}the Town and Country Planning (Scotland) Act 1997]; and
 - (c) any other authority, body or undertakers specified in an order made by the Secretary of State under this paragraph.

[^{F45}(2A) The undertaking of a universal postal service provider so far as relating to the provision of a universal postal service shall be taken to be his statutory undertaking for the purposes of this Act; and references in this Act to his undertaking shall be construed accordingly.]

- (3) For the purposes of sections 14(1) and 21(2) of this Act and paragraph 6(1)(b) and (2) (b) of Schedule 3 to this Act a person shall be taken to be immediately affected by the operation of a guardianship deed relating to any land if he is bound by that deed and is in possession or occupation of the land.
- (4) For the purposes of this Act “archaeological investigation” means any investigation of any land, objects or other material for the purpose of obtaining and recording any information of archaeological or historical interest and (without prejudice to the generality of the preceding provision) includes in the case of an archaeological investigation of any land—
- (a) any investigation for the purpose of discovering and revealing and (where appropriate) recovering and removing any objects or other material of archaeological or historical interest situated in, on or under the land; and
 - (b) examining, testing, treating, recording and preserving any such objects or material discovered during the course of any excavations or inspections carried out for the purposes of any such investigation.
- (5) For the purposes of this Act, an archaeological examination of any land means any examination or inspection of the land (including any buildings or other structures thereon) for the purpose of obtaining and recording any information of archaeological or historical interest.
- (6) In this Act references to land associated with any monument (or to associated land) shall be construed in accordance with section 15(6) of this Act.

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- (7) “Monument” means (subject to subsection (8) below)—
- (a) any building, structure or work, whether above or below the surface of the land, and any cave or excavation;
 - (b) any site comprising the remains of any such building, structure or work or of any cave or excavation; ^{F46} ...
 - (c) any site comprising, or comprising the remains of, any vehicle, vessel, aircraft or other movable structure or part thereof which neither constitutes nor forms part of any work which is a monument within paragraph (a) above; [^{F47} and
 - (d) any site (other than one falling within paragraph (b) or (c) above) comprising any thing, or group of things, that evidences previous human activity;]
- and any machinery attached to a monument shall be regarded as part of the monument if it could not be detached without being dismantled.
- (8) Subsection (7)(a) above does not apply to any ecclesiastical building for the time being used for ecclesiastical purposes, and subsection (7)(c) above does not apply—
- (a) to a site comprising any object or its remains unless the situation of that object or its remains in that particular site is a matter of public interest;
 - ^{F48}(b)
- (9) For the purposes of this Act, the site of a monument includes not only the land in or on which it is situated but also any land comprising or adjoining it which appears to the Secretary of State [^{F49} or Historic Environment Scotland] [^{F50} or the Commission] or a local authority, in the exercise in relation to that monument of any of their functions under this Act, to be essential for the monument’s support and preservation.
- (10) References in this Act to a monument include references—
- (a) to the site of the monument in question; and
 - (b) to a group of monuments or any part of a monument or group of monuments.
- (11) References in this Act to the site of a monument—
- (a) are references to the monument itself where it consists of a site; and
 - (b) in any other case include references to the monument itself.
- (12) “Ancient monument” means—
- (a) any scheduled monument; and
 - (b) any other monument which in the opinion of the Secretary of State is of public interest by reason of the historic, architectural, traditional, artistic or archaeological interest attaching to it.
- (13) In this section “remains” includes any trace or sign of the previous existence of the thing in question.

Extent Information

- E2** This version of this provision extends to Scotland only; a separate version has been created for England and Wales only.

Textual Amendments

- F3** Words in s. 61(1) inserted (1.3.2010) by [Planning Act 2008 \(c. 29\)](#), s. 241(8), [Sch. 2 para. 20](#) (with s. 226); [S.I. 2010/101](#), art. 2 (with art. 6)
- F12** Words in s. 61(1) substituted (1.10.2011) by [Postal Services Act 2011 \(c. 5\)](#), s. 93(2)(3), [Sch. 12 para. 103\(a\)](#); [S.I. 2011/2329](#), art. 3

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- F13** Words in s. 61(1) substituted (1.10.2011) by Postal Services Act 2011 (c. 5), s. 93(2)(3), **Sch. 12 para. 103(b)**; S.I. 2011/2329, art. 3
- F30** Definition inserted by National Heritage Act 1983 (c. 47, SIF 78), s. 41, **Sch. 4 para. 67(2)**
- F31** Words in s. 61(1)(a) repealed (1.4.1996) by 1994 c. 19, s. 66(6)(8), Sch. 16 para. 56(3), **Sch. 18** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**
- F32** Words repealed by Local Government Act 1985 (c. 51, SIF 81:1), s. 102, **Sch. 17**
- F33** S. 61(1)(aa) inserted (1.4.1996) by 1994 c. 19, s. 66(6), **Sch. 16 para. 56(3)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**
- F34** Words in s. 61(1) inserted (30.6.2011 for specified purposes, 1.12.2011 in so far as not already in force) by Historic Environment (Amendment) (Scotland) Act 2011 (asp 3), **ss. 6(3)**, 33(2); S.S.I. 2011/174, art. 2, Sch.; S.S.I. 2011/372, art. 2, Sch.
- F35** The definition of "statutory maximum" in s. 61(1) repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. XIV** Group 2
- F36** s. 61(1): definition of "universal postal service" inserted (26.3.01) by S.I. 2001/1149, art. 3(1), **Sch. 1 para. 45(2)**
- F37** Words substituted by Planning (Consequential Provisions) Act 1990 (c. 11, SIF 123:1, 2), s. 4, **Sch. 2 para. 43(2)**
- F38** Words in s. 61(1)(2)(b) substituted (27.5.1997) by 1997 c. 11, ss. 4, 6(2), **Sch. 2 para. 29(2)**
- F39** Word repealed by Electricity Act 1989 (c.29, SIF 44:1), s. 112(3)(4), Sch. 17 para. 35, **Sch. 18**
- F40** Word repealed by Gas Act 1986 (c.44, SIF 44:2), s. 67(3)(4), Sch. 8 para. 17, **Sch. 9 Pt. I**
- F41** Words repealed by Airports Act 1986 (c. 31, SIF 9), s. 83(5), **Sch. 6 Pt. I**
- F42** Words in s. 61(2)(b) repealed (31.10.1994) by virtue of 1994 c. 21, s. 67, Sch. 9 para. 22, **Sch. 11 Pt. II**; S.I. 1994/2553, art. 2
- F43** Words in s. 61(2)(b) substituted (26.3.01) by S.I. 2001/1149, art. 3(1), **Sch. 1 para. 45(3)**
- F44** Words substituted by Planning (Consequential Provisions) Act 1990 (c. 11, SIF 123:1, 2), s. 4, **Sch. 2 para. 43(2)**
- F45** S. 61(2A) inserted (26.3.01) by S.I. 2001/1149, art. 3(1), **Sch. 1 para. 45(4)**
- F46** Word in s. 61(7) repealed (1.12.2011) by Historic Environment (Amendment) (Scotland) Act 2011 (asp 3), **ss. 14(a)(i)**, 33(2); S.S.I. 2011/372, art. 2, Sch.
- F47** S. 61(7)(d) and word inserted (1.12.2011) by Historic Environment (Amendment) (Scotland) Act 2011 (asp 3), **ss. 14(a)(ii)**, 33(2); S.S.I. 2011/372, art. 2, Sch.
- F48** S. 61(8)(b) repealed (1.12.2011) by Historic Environment (Amendment) (Scotland) Act 2011 (asp 3), **ss. 14(b)**, 33(2); S.S.I. 2011/372, art. 2, Sch.
- F49** Words in s. 61(9) inserted (27.2.2015 for specified purposes, 1.10.2015 in so far as not already in force) by Historic Environment Scotland Act 2014 (asp 19), s. 31(2), **sch. 2 para. 52** (with ss. 29, 30); S.S.I. 2015/31, art. 2, sch.; S.S.I. 2015/196, art. 2, sch.
- F50** Words inserted by National Heritage Act 1983 (c. 47, SIF 78), s. 41, **Sch. 4 para. 67(3)**

Marginal Citations

- M3** 1973 c. 65.

Status:

There are multiple versions of this provision on screen. These apply to different geographical extents.

Skip to:

- E+W - England and Wales extent
- S - Scotland extent

Changes to legislation:

Ancient Monuments and Archaeological Areas Act 1979, Section 61 is up to date with all changes known to be in force on or before 23 April 2024. 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 :

- s. 61(1) words omitted by [2023 asc 3 Sch. 13 para. 49\(a\)\(i\)](#)
- s. 61(1) words omitted by [2023 asc 3 Sch. 13 para. 49\(a\)\(ii\)](#)
- s. 61(1) words omitted by [2023 asc 3 Sch. 13 para. 49\(a\)\(iii\)](#)
- s. 61(1) words omitted by [2023 asc 3 Sch. 13 para. 49\(a\)\(iv\)](#)
- s. 61(2B) omitted by [2023 asc 3 Sch. 13 para. 49\(b\)](#)
- s. 61(6) words omitted by [2023 asc 3 Sch. 13 para. 49\(c\)](#)
- s. 61(7)(d) and word omitted by [2023 asc 3 Sch. 13 para. 49\(d\)](#)
- s. 61(7A) omitted by [2023 asc 3 Sch. 13 para. 49\(e\)](#)
- s. 61(12)(b) words inserted by [2023 asc 3 Sch. 13 para. 49\(f\)](#)

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

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(3A) inserted by [2023 asc 3 Sch. 13 para. 20\(b\)](#)
- s. 1AA-1AE omitted by [2023 asc 3 Sch. 13 para. 21](#)
- s. 7(4A) inserted by [2016 anaw 4 s. 10\(2\)](#)
- s. 33(1A) inserted by [2023 asc 3 Sch. 13 para. 35\(a\)](#)