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*Changes to legislation: There are currently no known outstanding effects for the National Heritage Act 1983, Paragraph 38. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 4

#### THE COMMISSION: AMENDMENTS

##### *Ancient Monuments and Archaeological Areas Act 1979 (c. 46)*

- 38 (1) Section 12 of the 1979 Act (power to place ancient monument under guardianship) shall be amended as follows.
- (2) At the end of subsection (1) there shall be inserted—
- “Where the monument in question is situated in England, the Secretary of State shall consult with the Commission before he so consents.”
- (3) After subsection (1) there shall be inserted—
- “(1A) Subject to subsection (4) below, a person who has an interest of any description mentioned in subsection (3) below in an ancient monument situated in England may, with the consent of the Commission, given after obtaining the consent of the Secretary of State, constitute the Commission by deed guardian of the monument.”
- (4) In subsections (3) and (4) after “(1)” there shall be inserted “ or (1A) ”.
- (5) In subsection (6) after “Secretary of State” there shall be inserted “ or the Commission ” and for “(as the case may be) subsection (2) above” there shall be substituted “ (1A) or (2) above (as the case may be) ”.
- (6) In subsection (10) after “Secretary of State” there shall be inserted “ or the Commission ”.
- (7) In subsection (11) for “(as the case may be) the local authority in question” there shall be substituted “ the Commission or the local authority in question (as the case may be) ”.

**Changes to legislation:**

There are currently no known outstanding effects for the National Heritage Act 1983, Paragraph 38.