



# National Heritage Act 1983

## 1983 CHAPTER 47

### *Historic Buildings and Monuments Commission for England*

#### **35 Power of Commission to form companies.**

- (1) The Commission may form or take part in forming one or more bodies corporate which (or each of which) has as its main object or objects
    - [<sup>F1</sup>(a) one or more of the particular objects mentioned in subsection (2), or
    - (b) any other object or objects incidental to the Commission's functions.]
  - (2) The [<sup>F2</sup>particular objects ] are—
    - (a) the production and publication [<sup>F3</sup>, or sale,] of books, films or other informative material relating to ancient monuments or historic buildings,
    - [<sup>F4</sup>(ab) the provision (whether on payment or otherwise) of advice, assistance or other services in respect of, or information relating to, ancient monuments or historic buildings,]
    - (b) the production [<sup>F5</sup> . . . of souvenirs relating to ancient monuments or historic buildings [<sup>F6</sup>, or sale of souvenirs],
    - [<sup>F7</sup>(ca) the exploitation of any intellectual property, or any other intangible asset, relating to ancient monuments or historic buildings, and]
    - (d) the provision in England of catering or car parking or other services or facilities for members of the public visiting ancient monuments or historic buildings.
  - (3) The Commission may hold interests in any such body, exercise rights conferred by the holding of interests in it, and provide financial or other assistance to or in respect of it (including assistance by way of guarantee of its obligations).
- [<sup>F8</sup>(3A) In subsection (2), the references to “ ancient monuments ” and “ historic buildings ” are to those which—
- (a) are situated—
    - (i) in England, or

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*Changes to legislation: There are currently no known outstanding effects for the National Heritage Act 1983, Section 35. (See end of Document for details)*

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- (ii) in the case of monuments, in, on or under the seabed within the seaward limits of the United Kingdom territorial waters adjacent to England, or
- (b) are foreign ancient monuments or foreign historic buildings within the meaning of section 33A(2)(b).
- <sup>F8</sup>( 3B ) An order under section 33(10) applies for the purposes of subsection (3A) as it applies for the purposes of section 33(9).
- <sup>F8</sup>( 3C ) In this section “ intellectual property ” means—
- (a) any patent, trade mark, registered design, copyright, design right, right in performance or plant breeder’s right, and
- (b) any rights under the law of a country outside the United Kingdom which correspond or are similar to those falling within paragraph (a).]
- (4) In this section “ancient monument” and “historic building” have the same meanings as in section 33.
- (5) This section is without prejudice to any power of the Commission to undertake anything mentioned in subsection (2) by virtue of section 33.

#### Textual Amendments

- F1** S. 35(1)(a)(b) substituted for words in s. 35(1) (14.2.2012) by [Public Bodies Act 2011 \(c. 24\), ss. 32\(5\)\(a\), 38\(1\)](#)
- F2** Words in s. 35(2) substituted (14.2.2012) by [Public Bodies Act 2011 \(c. 24\), ss. 32\(5\)\(b\), 38\(1\)](#)
- F3** Words in s. 35(2)(a) substituted (1.7.2002) by [2002 c. 14, ss. 5\(1\)\(2\)\(a\), 8\(2\)](#)
- F4** S. 35(2)(ab) inserted (1.7.2002) by [2002 c. 14, ss. 5\(1\)\(2\)\(b\), 8\(2\)](#)
- F5** Words in s. 35(2)(b) repealed (1.7.2002) by [2002 c. 14, ss. 5\(1\)\(2\)\(c\)\(i\), 8\(2\)](#)
- F6** Words in s. 35(2)(c) inserted (1.7.2002) by [2002 c. 14, ss. 5\(1\)\(2\)\(c\)\(ii\), 8\(2\)](#)
- F7** S. 35(2)(ca) substituted (1.7.2002) by [2002, ss. 5\(1\)\(2\)\(d\), 8\(2\)](#)
- F8** S. 35(3A)-(3C) inserted (1.7.2002) by [2002 c. 14, ss. 5\(1\)\(3\), 8\(2\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the National Heritage Act 1983, Section 35.