



# Historic Environment (Wales) Act 2016

2016 anaw 4

## PART 2 **E+W**

### ANCIENT MONUMENTS ETC

#### *Modifications relating to offences*

#### 17 **Restrictions on use of metal detectors** **E+W**

- (1) Section 42 of the Ancient Monuments and Archaeological Areas Act 1979 (c.46) (restrictions on use of metal detectors) is amended as follows.
- (2) In subsection (7), after “an offence under subsection (1) or (3) above” insert “ relating to a protected place situated in England ”.
- (3) After that subsection insert—
  - “(8) In proceedings for an offence under subsection (1) or (3) relating to a protected place situated in Wales, it is a defence for the accused to prove that the accused—
    - (a) had taken all reasonable steps to find out whether the place in which the metal detector was used was a protected place; and
    - (b) did not know, and had no reason to believe, that the place was a protected place.”

**Changes to legislation:**

Historic Environment (Wales) Act 2016, Section 17 is up to date with all changes known to be in force on or before 19 August 2023. 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 the whole Act associated Parts and Chapters:**

- Act repealed by [2023 asc 3 Sch. 13 para. 193](#)