

# HISTORIC ENVIRONMENT (WALES) ACT 2023

---

## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 2 — Monuments of special historic interest**

#### *Chapter 4 — Scheduled monument partnership agreements*

#### *Section 27 — Termination of agreement or provision of agreement*

#### *Schedule 5 — Termination by order of scheduled monument partnership agreement*

#### *Schedule 6 — Proceedings under Part 2*

104. [Section 27](#) allows the Welsh Ministers to terminate a scheduled monument partnership agreement or any provision of such an agreement by order. It is likely that this will only happen in exceptional cases, for instance, if unauthorised works take place and relations between the parties break down to such an extent that negotiated termination becomes impossible. Alternatively, significant archaeological discoveries might require the cessation of certain works against the wishes of an owner and prompt the Welsh Ministers to terminate a portion of an agreement by order.
105. [Section 27\(4\)](#) provides that [Schedule 5](#) and paragraph 1 of [Schedule 6](#) make provision in connection with making orders under this section.
106. [Schedule 5](#) puts in place the procedure for making an order to terminate a scheduled monument partnership agreement or a provision of such an agreement. This procedure is very similar to the procedure for making an order to modify or revoke scheduled monument consent in [Schedule 4](#).