

*These notes refer to the Historic Environment (Wales) Act  
2023 (c.3) which received Royal Assent on 14 June 2023*

# **HISTORIC ENVIRONMENT (WALES) ACT 2023**

---

## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part 7 — General**

##### ***Section 209 — Regulations under this Act***

721. **Section 209** contains general provisions regarding regulations made under this Act. The power to make regulations is exercisable by statutory instrument and subsections (2) and (3) set out what provisions may be made by such regulations.
722. Subsection (5) identifies the regulations that must be laid before and approved by resolution of the Senedd prior to being made; this is known as the affirmative procedure. Paragraph (h) applies this requirement to any regulations that amend or repeal enactments in primary legislation.
723. Under subsection (6) all other regulations are subject to the negative procedure, in which a statutory instrument is laid before the Senedd and it becomes law unless it is annulled within a period of 40 days.