



Historic Environment (Wales) Act 2023

2023 asc 3

PART 3

BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST

CHAPTER 1

LISTING BUILDINGS OF SPECIAL INTEREST

PROSPECTIVE

Review of listing decisions

81 Review of decision to list building

- (1) Where the Welsh Ministers list a building, the notice under section 77(1) must state that any owner or occupier of the building may make an application to the Welsh Ministers requesting a review of the decision.
- (2) An application may be made only on the ground that the building is not of special architectural or historic interest.
- (3) Where an owner or occupier makes an application for a review, the Welsh Ministers must appoint a person to—
 - (a) carry out the review, and
 - (b) make a decision on the review.
- (4) The Welsh Ministers may by regulations specify descriptions of cases in which they, instead of a person appointed by them, must carry out and make a decision on a review.
- (5) The Welsh Ministers must make any amendment to the list maintained under section 76 they consider appropriate to give effect to a decision on a review.

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Historic Environment (Wales) Act 2023, Cross Heading: Review of listing decisions. (See end of Document for details)

- (6) The Welsh Ministers may by regulations amend subsection (2) to—
- (a) add a ground of review;
 - (b) modify a ground of review;
 - (c) remove a ground of review.

Commencement Information

I1 S. 81 not in force at Royal Assent, see [s. 212\(2\)](#)

82 Supplementary provision about reviews

- (1) The Welsh Ministers must by regulations make provision about—
- (a) the form and way in which an application under section 81 must be made;
 - (b) the information that must be provided to, or may be required by, the Welsh Ministers in connection with an application;
 - (c) the period within which an application must be made.
- (2) A review under section 81 must be carried out in one or more of the following ways (as determined by the person carrying out the review)—
- (a) by means of a local inquiry;
 - (b) by means of a hearing;
 - (c) on the basis of written representations.
- (3) Where a review is carried out by a person appointed by the Welsh Ministers, the appointed person has the same powers and duties in relation to the review as the Welsh Ministers have under—
- (a) any regulations made under section 175 (procedural requirements), and
 - (b) sections 180 and 181 (costs of Welsh Ministers and parties).
- (4) Where a review is carried out by means of a local inquiry, section 177 (power to require evidence) applies to the inquiry as it applies to an inquiry held under Part 5.
- (5) The Welsh Ministers may by regulations make further provision in connection with reviews under section 81.
- (6) Schedule 2 makes further provision about the functions of persons appointed by the Welsh Ministers to carry out reviews under section 81.

Commencement Information

I2 S. 82 not in force at Royal Assent, see [s. 212\(2\)](#)

Status:

This version of this cross heading contains provisions that are prospective.

Changes to legislation:

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Cross Heading: Review of listing decisions.