



Historic Environment (Wales) Act 2023

2023 asc 3

PART 2

MONUMENTS OF SPECIAL HISTORIC INTEREST

CHAPTER 7

GENERAL

Powers of entry

PROSPECTIVE

65 Powers of entry for inspection of scheduled monuments etc.

- (1) An authorised person may enter any land to inspect a scheduled monument in, on or under the land to assess its condition and assess—
 - (a) whether any works affecting the monument are being carried out in breach of section 11 (requirement for works to be authorised), or
 - (b) whether it has been or is likely to be damaged (by such works or otherwise).
- (2) An authorised person may enter any land to inspect a scheduled monument in, on or under the land in connection with—
 - (a) an application for scheduled monument consent for works affecting that monument,
 - (b) a proposal to modify or revoke a scheduled monument consent for any such works, or
 - (c) a proposal to make an order under section 27 (termination of scheduled monument partnership agreement or provision of agreement).
- (3) An authorised person may enter any land to assess whether any works to which a scheduled monument consent or an authorisation under section 12 relates are or have

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Historic Environment (Wales) Act 2023, Section 65. (See end of Document for details)

been carried out in accordance with the terms of the consent or authorisation (including any conditions).

- (4) An authorised person may enter any land on which any works to which a scheduled monument consent or an authorisation under section 12 relates are being carried out to—
- (a) inspect the land (including any buildings or other structures on the land) to record any matters of archaeological or historical interest, or
 - (b) observe the carrying out of those works with a view to—
 - (i) examining and recording any objects or other material of archaeological or historical interest discovered during the course of those works, and
 - (ii) recording any matters of archaeological or historical interest discovered during the course of those works.
- (5) An authorised person may enter any land in, on or under which a scheduled monument is situated to erect and maintain on or near the site of the monument any notice boards and marker posts the Welsh Ministers consider to be desirable to protect the monument from accidental or deliberate damage.
- (6) The power in subsection (5) may not be exercised without the agreement of every owner and occupier of the land.
- (7) In this section “authorised person” means a person authorised in writing by the Welsh Ministers.

Commencement Information

II S. 65 not in force at Royal Assent, see [s. 212\(2\)](#)

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