



# Historic Environment (Wales) Act 2023

2023 asc 3

## PART 2

### MONUMENTS OF SPECIAL HISTORIC INTEREST

#### CHAPTER 7

##### GENERAL

##### *Supplementary*

PROSPECTIVE

#### **73 Application to High Court for statutory review of decision or order**

- (1) A person aggrieved by a decision or order to which section 72 applies may make an application for statutory review.
- (2) An application for statutory review is an application to the High Court questioning the validity of the decision or order on the grounds that—
  - (a) it is not within the powers conferred by this Act, or
  - (b) a relevant requirement has not been complied with in relation to the decision or order.
- (3) An application for statutory review must be made before the end of 6 weeks beginning with the day after the day the decision or order to which the application relates is made.
- (4) On any application for statutory review the High Court—
  - (a) may make an interim order suspending the operation of the decision or order to which the application relates, until the proceedings are finally determined;
  - (b) may quash that decision or order if satisfied that—
    - (i) it is not within the powers conferred by this Act, or

---

*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 73. (See end of Document for details)

---

(ii) the interests of the applicant have been substantially prejudiced by a failure to comply with a relevant requirement in relation to the decision or order.

(5) In this section “relevant requirement” means any requirement of—

- (a) this Act or the [Tribunals and Inquiries Act 1992 \(c. 53\)](#), or
- (b) any subordinate legislation made under this Act or under that Act.

---

**Commencement Information**

**II** S. 73 not in force at Royal Assent, see [s. 212\(2\)](#)

**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 73.