



Historic Environment (Wales) Act 2023

2023 asc 3

PART 3

BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST

CHAPTER 1

LISTING BUILDINGS OF SPECIAL INTEREST

Proposals to list and de-list buildings: consultation and interim protection

PROSPECTIVE

79 Interim protection pending decision whether to list building

- (1) This section applies where the Welsh Ministers serve notice under section 78(1) of a proposal to list a building.
- (2) From the beginning of the day specified under section 78(3)(b)(ii), this Act (except sections 118 and 137 to 142) and the [Town and Country Planning Act 1990 \(c. 8\)](#) have effect in relation to the building as if it were a listed building.
- (3) The protection conferred by virtue of subsection (2) is referred to in this Part as “interim protection”.
- (4) The Welsh Ministers must—
 - (a) publish a list of the buildings subject to interim protection, and
 - (b) provide a copy of the notice served under section 78(1) in respect of such a building to any person who requests one.
- (5) Interim protection ends in relation to a building—
 - (a) where the Welsh Ministers list the building, at the beginning of the day specified in the notice under section 77(1);

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 79. (See end of Document for details)*

- (b) where the Welsh Ministers decide not to list the building, at the beginning of the day specified in a notice served on—
 - (i) every owner and occupier of the building, and
 - (ii) every planning authority in whose area the building is situated.
- (6) Schedule 7 makes provision about the effect of interim protection coming to an end under subsection (5)(b).
- (7) This section does not apply to a building which is a scheduled monument.

Commencement Information

II S. 79 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 79.