

SCHEDULES

SCHEDULE 3

TRANSITIONAL PROVISIONS

- 3 (1) Where within the period of three months immediately preceding the commencement of this Act a person has given notice in accordance with section 6(2) of the Ancient Monuments Act 1931 of his intention to execute or permit to be executed any such work in relation to a monument as is there mentioned the notice shall have effect for the purposes of this Act as an application for scheduled monument consent for the execution of that work.
- (2) Where—
- (a) a monument becomes a schedule monument under this Act; and
 - (b) before it is included in the Schedule any person has applied for the consent of the Secretary of State for the execution of any works affecting the monument which would otherwise be prohibited by section 12(1) of the Historic Buildings and Ancient Monuments Act 1953 (consent required for certain works in relation to a monument subject to an interim preservation notice or preservation order);
- then, in a case where the Secretary of State's decision on the application has not been notified to the person in question before the monument is included in the Schedule, the application shall have effect for the purposes of this Act as an application for scheduled monument consent for the execution of those works.
- (3) The Secretary of State shall consider and determine any application for scheduled monument consent which has effect as such by virtue of this paragraph notwithstanding that any requirements of regulations made by virtue of paragraph 1 or any requirements of paragraph 2 of Schedule 1 to this Act are not satisfied in relation to that application.