



Ancient Monuments and Archaeological Areas Act 1979

1979 CHAPTER 46

PART I

ANCIENT MONUMENTS

Public access to monuments under public control

19 Public access to monuments under public control

- (1) Subject to the following provisions of this section, the public shall have access to any monument under the ownership or guardianship of the Secretary of State or any local authority by virtue of this Act.
- (2) The Secretary of State and any local authority may nevertheless control the times of normal public access to any monument under their ownership or guardianship by virtue of this Act and may also, if they consider it necessary or expedient to do so in the interests of safety or for the maintenance or preservation of the monument, entirely exclude the public from access to any such monument or to any part of it, for such period as they think fit:

Provided that—

- (a) the power of a local authority under this subsection to control the times of normal public access to any monument shall only be exercisable by regulations under this section ; and
 - (b) the power of a local authority under this subsection entirely to exclude the public from access to any monument with a view to its preservation shall only be exercisable with the consent of the Secretary of State.
- (3) The Secretary of State and any local authority may by regulations under this section regulate public access to any monument, or to all or any of the monuments, under their ownership or guardianship by virtue of this Act and any such regulations made by the

Status: This is the original version (as it was originally enacted).

Secretary of State may also apply to any monument, or to all or any of the monuments, under his control or management for any other reason.

- (4) Without prejudice to the generality of subsection (3) above, regulations made by the Secretary of State or a local authority under this section may prescribe the times when the public are to have access to monuments to which the regulations apply and may make such provision as appears to the Secretary of State or to the local authority in question to be necessary for—

- (a) the preservation of any such monument and its amenities or of any property of the Secretary of State or local authority; and
- (b) prohibiting or regulating any act or thing which would tend to injure or disfigure any such monument or its amenities or to disturb the public in their enjoyment of it;

and may prescribe charges for the admission of the public to any such monument or to any class or description of monuments to which the regulations apply.

- (5) Without prejudice to subsections (3) and (4) above, the Secretary of State and any local authority shall have power to make such charges as they may from time to time determine for the admission of the public to any monument under their ownership or guardianship by virtue of this Act or (in the case of the Secretary of State) to any monument otherwise under his control or management.

- (6) Notwithstanding subsection (1) above, any person authorised in that behalf by the Secretary of State or by a local authority may refuse admission—

- (a) to any monument under the ownership or guardianship of the Secretary of State or (as the case may be) of that local authority by virtue of this Act; or
- (b) (in the case of the Secretary of State) to any monument otherwise under his control or management;

to any person he has reasonable cause to believe is likely to do anything which would tend to injure or disfigure the monument or its amenities or to disturb the public in their enjoyment of it.

- (7) If any person contravenes or fails to comply with any provision of any regulations under this section, he shall be liable on summary conviction or, in Scotland, on conviction before a court of summary jurisdiction, to a fine not exceeding £50.

- (8) Regulations made by a local authority under this section shall not take effect unless they are submitted to and confirmed by the Secretary of State, and the Secretary of State may confirm any such regulations either with or without modifications.

- (9) In relation to any monument under guardianship, subsection (1) above is subject to any provision to the contrary in the guardianship deed.