
Changes to legislation: There are currently no known outstanding effects for the Channel Tunnel Rail Link Act 1996, Paragraph 5. (See end of Document for details)

SCHEDULES

SCHEDULE 7

HERITAGE

THE TABLE

BUILDINGS AUTHORISED TO BE EXTENDED AND ALTERED

Ancient monuments etc.

- 5 (1) The power of entry conferred by section 36(1) of the ^{M1}National Heritage Act 1983 (entry to obtain information about ancient monuments and historic buildings for the purposes of the records kept by the Historic Buildings and Monuments Commission for England) shall only be exercisable in relation to land used, or intended for use, for or in connection with the carrying out of any of the works authorised by this Part of this Act with the consent of the nominated undertaker, such consent not to be unreasonably withheld.
- (2) Consent for the purposes of sub-paragraph (1) above may be granted subject to compliance with any reasonable requirements or conditions imposed for reasons of safety or for the purpose of preventing interference with or delay to the works.
- (3) Section 36(6) of the ^{M2}National Heritage Act 1983 (which, in relation to land on which works are being carried out, regulates the exercise of the right to enter land to obtain information about ancient monuments and historic buildings for the purposes of the records kept by the Historic Buildings and Monuments Commission for England) shall not apply in relation to land on which works authorised by this Part of this Act are being carried out.
- (4) Any dispute under this paragraph shall, if the parties agree, be referred to arbitration, but shall otherwise be determined by [^{F1}the appropriate Minister].
- (5) In sub-paragraph (4) above, “appropriate [^{F2}Minister]” means—
- (a) in relation to a dispute about entry for the purpose of obtaining information about an ancient monument, [^{F3}[^{F4}the Secretary of State for Culture, Media and Sport] and [^{F5}the Secretary of State for Transports] acting jointly], and
 - (b) in relation to a dispute about entry for the purpose of obtaining information about an historic building, [^{F6}the Secretary of State].
- (6) In sub-paragraph (5) above, “ancient monument” and “historic building” have the meanings given by section 33(8) of the National Heritage Act 1983.

Textual Amendments

F1 Words in Sch. 7 para. 5(4) substituted (26.1.1998) by S.I. 1997/2971, art. 6(1), Sch. paras. 25, 33(a)

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- F2** Word in Sch. 7 para. 5(5) substituted (26.1.1998) by S.I. 1997/2971, art. 6(1), Sch. paras. 25, **33(b)(i)**
- F3** Words in Sch. 7 para. 5(5)(a) substituted (26.1.1998) by S.I. 1997/2971, art. 6(1), Sch. paras. 25, **33(b)(ii)**
- F4** Words in Sch. 7 para. 5(5)(a) substituted (3.5.2023) by The Secretaries of State for Energy Security and Net Zero, for Science, Innovation and Technology, for Business and Trade, and for Culture, Media and Sport and the Transfer of Functions (National Security and Investment Act 2021 etc) Order 2023 (S.I. 2023/424), art. 1(2), **Sch. para. 8(3)** (with art. 17)
- F5** Words in Sch. 7 para. 5(5)(a) substituted (25.11.2002) by S.I. 2002/2626, art. 20, **Sch. 2 para. 21(5)**
- F6** Words in Sch. 7 para. 5(5)(b) substituted (26.1.1998) by S.I. 1997/2971, art. 6(1), Sch. paras. 25, **33(b)(iii)**

Modifications etc. (not altering text)

- C1** Sch. 7 para. 5(4): functions transferred (3.5.2023) by The Secretaries of State for Energy Security and Net Zero, for Science, Innovation and Technology, for Business and Trade, and for Culture, Media and Sport and the Transfer of Functions (National Security and Investment Act 2021 etc) Order 2023 (S.I. 2023/424), arts. 1(2), **13(2)** (with art. 17)

Marginal Citations

- M1** 1983 c. 47.
- M2** 1983 c. 47.

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