



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE **The Historic Environment (Wales) Act 2023 and Supporting Regulations**

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The [Historic Environment \(Wales\) Act 2023](#) ('the 2023 Act') comes into full effect today, along with the suite of regulations necessary to support it.

Wales now has the most up-to-date historic environment legislation amongst the UK nations. Made in Wales for Wales alone, the 2023 Act is free of confusing references to other UK jurisdictions and, for the first time, it provides law for the historic environment that is completely bilingual in Welsh and English. The old legislation that provided the framework for the management and protection of the historic environment — principally the Ancient Monuments and Archaeological Areas Act 1979 and the Planning (Listed Buildings and Conservation Areas) Act 1990 — is, from today, effectively replaced in relation to Wales. Owners of scheduled monuments and listed buildings, legal advisors, heritage consultants, conservation officers and anyone else interested in Wales' rich archaeological and built heritage can turn to the 2023 Act and its supporting regulations for historic environment law that is logically structured, consistent and expressed, as far as possible, in plain, everyday language. While the new legislation makes it much easier for everyone to find, understand and apply the law, it makes no changes to the operation of the current management and protection regimes for the Welsh historic environment.

The full commencement of the legislation marks two significant milestones in the history of the modern Welsh law book. The 2023 Act itself represents the culmination of the Welsh Government's first consolidation project in the ambitious programme to improve the accessibility of Welsh law set out in [The Future of Welsh Law](#). Consolidation is one of our most effective methods for bringing order and clarity to an area of law, particularly if legislation has become convoluted and confusing through repeated amendments in multiple jurisdictions. Consolidation brings together existing legislation on a subject, modernises the form and drafting of the law and restates it bilingually for Wales alone. The result is a single, coherent Act that makes it easier for users to find the law that they need and to understand

and apply it. While it may change the organisation and presentation of the legislation, a guiding principle of consolidation is that does not change policy or alter the effect of the law.

The 2023 Act and its substantive supporting regulations all expressly state that they are 'part of a code of law relating to the historic environment of Wales'. They therefore constitute the first code of law produced under the accessibility programme. Codification provides the means to maintain the structure and integrity of the law once it has been brought to order through consolidation or reform. Giving an Act the status of a code is intended to discourage the enactment of separate pieces of primary legislation on a subject. The intention is that future Senedd Acts are enacted and maintained so that users of the legislation will be able to find as much of the law affecting a particular topic as possible by reading a single Senedd Act and any subordinate legislation made under it. When a proposal is made to change the law, that change should be made by amending the codified Act, unless there is a very good reason to make new legislation that will sit alongside it.

The 2023 Act and its supporting regulations — the historic environment code — establish a secure foundation for the future development of accessible and effective law for our nation's unique and precious historic environment.