



# Historic Environment (Wales) Act 2023

2023 asc 3

## PART 3

### BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST

#### CHAPTER 5

#### ACQUISITION AND PRESERVATION OF BUILDINGS OF SPECIAL INTEREST

##### *Compulsory acquisition of listed buildings in need of repair*

PROSPECTIVE

#### **142 Ending of rights over land acquired compulsorily**

- (1) On the completion of a compulsory acquisition of land under section 137—
- (a) all private rights of way over the land are extinguished,
  - (b) all rights to install, keep or maintain apparatus on, under or over the land are extinguished, and
  - (c) the acquiring authority becomes entitled to any apparatus on, under or over the land.
- (2) Subsection (1) does not apply to—
- (a) any right to which a statutory undertaker is entitled, or apparatus belonging to a statutory undertaker, for the purpose of carrying on its undertaking,
  - (b) any right conferred by or in accordance with the electronic communications code on the operator of an electronic communications code network, or any electronic communications apparatus installed for the purposes of such a network, or
  - (c) any right or apparatus specified by the acquiring authority in a direction given before the completion of the acquisition.

*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 142. (See end of Document for details)*

- (3) Subsection (1) is also subject to any agreement (whether made before or after the completion of the acquisition) between the acquiring authority and the person who is entitled to the right or to whom the apparatus belongs.
- (4) Any person who suffers loss by the extinguishment of a right or the transfer of apparatus under this section is entitled to be paid compensation by the acquiring authority.
- (5) Compensation under this section is to be determined in accordance with the [Land Compensation Act 1961 \(c. 33\)](#).
- (6) In subsection (2)(b)—
- “electronic communications code” (“*cod cyfathrebu electronig*”) means the code set out in Schedule 3A to the [Communications Act 2003 \(c. 21\)](#);
- “operator” (“*gweithredwr*”), “electronic communications code network” (“*rhwydwaith cod cyfathrebu electronig*”) and “electronic communications apparatus” (“*cyfarpar cyfathrebu electronig*”) have the meanings given by paragraph 1(1) of Schedule 17 to the Communications Act 2003.

#### **Commencement Information**

**II** S. 142 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 142.