



Historic Environment (Wales) Act 2023

2023 asc 3

PART 3

BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST

CHAPTER 1

LISTING BUILDINGS OF SPECIAL INTEREST

Proposals to list and de-list buildings: consultation and interim protection

PROSPECTIVE

80 Compensation for loss or damage caused by interim protection

- (1) This section applies where interim protection ends in relation to a building because the Welsh Ministers serve notice under section 79(5)(b) that they have decided not to list the building.
- (2) Any person who had an interest in the building when the interim protection took effect is entitled, on making a claim to the Welsh Ministers, to be paid compensation by them for any loss or damage suffered by the person that is directly attributable to the interim protection.
- (3) The loss or damage for which compensation is payable includes any amount payable by the claimant in respect of a breach of contract caused by the need to stop or cancel works to the building because of the interim protection.
- (4) A claim for compensation under this section must be made in writing within 6 months beginning when the interim protection ends.
- (5) Where the building was previously subject to temporary listing under section 83 which ended because the interim protection took effect—

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

- (a) the reference in subsection (2) to the time when the interim protection took effect is to be treated as a reference to the time when the temporary listing took effect;
- (b) the reference in that subsection to loss or damage directly attributable to the interim protection includes loss or damage directly attributable to the temporary listing;
- (c) the reference in subsection (3) to the need to stop or cancel works because of the interim protection includes the need to do so because of the temporary listing.

Commencement Information

II S. 80 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 80.