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STATUTORY INSTRUMENTS

1981 No. 1301

ANCIENT MONUMENTS

The Ancient Monuments (Applications for Scheduled Monument Consent) Regulations 1981

Made - - - -	*8th September 1981*
Laid before Parliament	*18th September 1981*
Coming into Operation	*9th October 1981*

The Secretary of State for the Environment and the Secretary of State for Wales, in exercise of the powers conferred by paragraphs 1(1) and 2(1) (2) and (3) of Schedule 1 to the Ancient Monuments and Archaeological Areas Act 1979, hereby make the following regulations:—

Citation, commencement, application and interpretation

1.—(1) These Regulations may be cited as the Ancient Monuments (Applications for Scheduled Monument Consent) Regulations 1981 and shall come into operation on 9th October 1981.

(2) These regulations apply only to England and Wales.

(3) In these regulations, "the Act" means the Ancient Monuments and Archaeological Areas Act 1979.

Applications for scheduled monument consent

2.—(1) An application to the Secretary of State for scheduled monument consent under Part I of the Act shall be in the form set out in Schedule 1 to these Regulations, and shall contain the particulars required by that form.

(2) The application shall be accompanied by a plan identifying the monument to which it relates and such other plans or drawings as are necessary to describe the works which are the subject of the application.

(3) The applicant shall supply the Secretary of State with such further information as he may at any time require to enable him to determine the application.

Certificates and notices

3.—(1) A certificate which by virtue of paragraph 2(1) of Schedule 1 to the Act accompanies an application shall be in whichever of the forms set out in Part I of Schedule 2 to these regulations is appropriate, and shall contain the particulars required by that form.

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(2) The requisite notice for the purposes of paragraph 2(1) of Schedule 1 to the Act shall be in the form set out in Part II of Schedule 2 to these regulations, and shall contain the particulars required by that form.

Persons to be treated as the owners of monuments

4. In relation to any monument, a person shall for the purposes of paragraph 2 of Schedule 1 to the Act be treated as the owner of the monument if he is for the time being the estate owner in respect of the fee simple in the monument or is entitled to a tenancy of the monument granted or extended for a term of years certain of which not less than seven years remain unexpired.

Michael R.D. Heseltine
8th September 1981 — Secretary of State for the Environment

Michael Roberts
Parliamentary Under Secretary of State for
3rd September 1981 — Wales

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SCHEDULE 1 Regulation 2(1)

FORM OF APPLICATION FOR SCHEDULED MONUMENT CONSENT
APPLICATION FOR SCHEDULED MONUMENT CONSENT ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979

SCHEDULE 2 Regulation 3

PART I

FORMS OF CERTIFICATE FOR THE PURPOSES OF PARAGRAPH 2(1) OF SCHEDULE 1 TO THE ACT

Certificate in accordance with paragraph 2(1)(a)

Certificate in accordance with paragraph 2(1)(b)

Certificate in accordance with paragraph 2(1)(c)

Certificate in accordance with paragraph 2(1)(d)

PART II

FORM OF NOTICE FOR THE PURPOSES OF PARAGRAPH 2(1) OF SCHEDULE 1 TO THE ACT

Notice of application for scheduled monument consent

EXPLANATORY NOTE

These regulations, which apply only to England and Wales, prescribe for the purposes of the Ancient Monuments and Archaeological Areas Act 1979 the form of an application for scheduled monument consent, the form of the certificate which should accompany an application and the form of the notice which should be given to all persons, other than the applicant, who were owners of the monument at the beginning of the period of twenty-one days ending with the application.

The regulations also provide for related matters. In particular, they specify who is to be treated as the owner of a monument.