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**2024 No. 927 (W. 153)**

**HISTORIC ENVIRONMENT,  
WALES**

**The Listed Buildings (Exempt  
Religious Buildings) (Wales)  
Regulations 2024**

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations are made under powers given to the Welsh Ministers by the Historic Environment (Wales) Act 2023 (“the 2023 Act”). The 2023 Act forms part of a code of law relating to the historic environment of Wales. These Regulations also form part of that Code.

The Regulations make provision about religious buildings which are exempt from some of the provisions of the 2023 Act which apply to listed buildings.

The 2023 Act protects buildings of special architectural or historic interest, which may include buildings or structures. The 2023 Act provides that the Welsh Ministers must maintain a list of such buildings in Wales. Particular types of works may only be carried out to a “listed building” if they are authorised by the planning authority or by the Welsh Ministers. There are other restrictions on dealing with listed buildings.

Regulation 2 provides that certain religious buildings used for religious purposes are “exempt religious buildings” and that the provisions about listed buildings set out in section 156 of the 2023 Act do not apply to them. Those provisions are about the temporary listing of a building, the requirement for works affecting a listed building to be authorised, the offence of intentionally damaging a listed building, compulsory acquisition of a listed building and urgent works for preservation of a listed building.

Regulation 3 revokes the Ecclesiastical Exemption (Listed Buildings and Conservation Areas) (Wales) Order 2018.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

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**The Listed Buildings (Exempt  
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Regulations 2024**

*Made* 9 September 2024

*Laid before Senedd Cymru* 11 September 2024

*Coming into force* 4 November 2024

The Welsh Ministers, in exercise of the powers conferred on them by sections 156(1), (3)(a) and (c), 209(2) and 211(3)(a) and (4) of the Historic Environment (Wales) Act 2023<sup>(1)</sup>, make the following Regulations.

**Title, coming into force and code**

1.—(1) The title of these Regulations is the Listed Buildings (Exempt Religious Buildings) (Wales) Regulations 2024.

(2) These Regulations come into force on 4 November 2024.

(3) These Regulations form part of a code of law relating to the historic environment of Wales<sup>(2)</sup>.

**Exempt religious buildings**

2.—(1) The following buildings are exempt religious buildings for the purposes of section 156 of the Historic Environment (Wales) Act 2023—

- (a) church buildings of the Church in Wales vested in the Representative Body of the Church in Wales or any other representative

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(1) 2023 asc 3.

(2) See paragraphs 8 to 10 of the Explanatory Notes to the 2023 Act, which can be found at <https://www.legislation.gov.uk/asc/2023/3/notes/division/3>.

body incorporated under section 13(2) of the Welsh Church Act 1914<sup>(1)</sup>;

- (b) church buildings held in trust by the diocesan trustees of a diocese of the Roman Catholic Church;
- (c) church buildings owned by or held in trust for or for the purposes of the Methodist Church or any connexional or local organisation of the Methodist Church;
- (d) church buildings owned by or held in trust for a church in membership with the Baptist Union of Great Britain or the Baptist Union of Wales by either—
  - (i) the Baptist Union Corporation Limited (whether solely or jointly with another person), or
  - (ii) the Welsh Baptist Union Corporation Limited (whether solely or jointly with another person);
- (e) church buildings within the faculty jurisdiction of the Church of England.

(2) The buildings in paragraph (1)(a) to (d) are exempt religious buildings only in relation to works carried out—

- (a) by or on behalf of a church body, or a constituent part of a church body, referred to in that paragraph, or
- (b) where the church building is on any premises forming part of a university, college, school, hospital or public or charitable institution, by or on behalf of the governing body or the trustees of that institution.

(3) For the purposes of this regulation—

- (a) a building is a church building if it is used primarily as a place of worship;
- (b) “exempt religious building” is to be interpreted in accordance with section 156 of the Historic Environment (Wales) Act 2023;
- (c) “Methodist Church” means the United Church or denomination formed under the Methodist Church Union Act 1929<sup>(2)</sup>.

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(1) 1914 c. 91. Section 13(2) was amended by the Charities Act 1960 (c. 58) section 48(2) and Schedule 7, Part 2.

(2) 1929 c. lix.

**Revocation**

**3.** The Ecclesiastical Exemption (Listed Buildings and Conservation Areas) (Wales) Order 2018<sup>(1)</sup> is revoked.

*Jane Hutt*

Cabinet Secretary for Culture, Social Justice, Trefnydd and Chief Whip, one of the Welsh Ministers

*9 September 2024*

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<sup>(1)</sup> S.I. 2018/1087 (W. 227).