



# Treasure Act 1996

## 1996 CHAPTER 24

### *Meaning of “treasure”*

#### **1 Meaning of “treasure”.**

##### **(1) Treasure is—**

- (a) any object at least 300 years old when found which—
  - (i) is not a coin but has metallic content of which at least 10 per cent by weight is precious metal;
  - (ii) when found, is one of at least two coins in the same find which are at least 300 years old at that time and have that percentage of precious metal; or
  - (iii) when found, is one of at least ten coins in the same find which are at least 300 years old at that time;
- (b) any object at least 200 years old when found which belongs to a class designated under section 2(1);
- (c) any object which would have been treasure trove if found before the commencement of section 4;
- (d) any object which, when found, is part of the same find as—
  - (i) an object within paragraph (a), (b) or (c) found at the same time or earlier; or
  - (ii) an object found earlier which would be within paragraph (a) or (b) if it had been found at the same time.

##### **(2) Treasure does not include objects which are—**

- (a) unworked natural objects, or
  - (b) minerals as extracted from a natural deposit,
- or which belong to a class designated under section 2(2).

*Changes to legislation: Treasure Act 1996, Cross Heading: Meaning of “treasure” is up to date with all changes known to be in force on or before 18 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

## **2 Power to alter meaning.**

- (1) The Secretary of State may by order, for the purposes of section 1(1)(b), designate any class of object which he considers to be of outstanding historical, archaeological or cultural importance.
- (2) The Secretary of State may by order, for the purposes of section 1(2), designate any class of object which (apart from the order) would be treasure.
- (3) An order under this section shall be made by statutory instrument.
- (4) No order is to be made under this section unless a draft of the order has been laid before Parliament and approved by a resolution of each House.

## **3 Supplementary.**

- (1) This section supplements section 1.
- (2) “Coin” includes any metal token which was, or can reasonably be assumed to have been, used or intended for use as or instead of money.
- (3) “Precious metal” means gold or silver.
- (4) When an object is found, it is part of the same find as another object if—
  - (a) they are found together,
  - (b) the other object was found earlier in the same place where they had been left together,
  - (c) the other object was found earlier in a different place, but they had been left together and had become separated before being found.
- (5) If the circumstances in which objects are found can reasonably be taken to indicate that they were together at some time before being found, the objects are to be presumed to have been left together, unless shown not to have been.
- (6) An object which can reasonably be taken to be at least a particular age is to be presumed to be at least that age, unless shown not to be.
- (7) An object is not treasure if it is wreck within the meaning of Part IX of the <sup>M1</sup>Merchant Shipping Act 1995.

### **Marginal Citations**

**M1** 1995 c. 21.

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 8(5)(6) substituted for s. 8(5) by [2009 c. 25 Sch. 21 para. 39\(4\)](#)
- s. 8(7) inserted by [2009 c. 25 Sch. 21 para. 39\(5\)](#)
- s. 10(5)(d) inserted by [2009 c. 25 s. 30\(2\)](#)