



# Treasure Act 1996

## 1996 CHAPTER 24

### *Ownership of treasure*

#### **4 Ownership of treasure which is found**

- (1) When treasure is found, it vests, subject to prior interests and rights—
  - (a) in the franchisee, if there is one;
  - (b) otherwise, in the Crown.
- (2) Prior interests and rights are any which, or which derive from any which—
  - (a) were held when the treasure was left where it was found, or
  - (b) if the treasure had been moved before being found, were held when it was left where it was before being moved.
- (3) If the treasure would have been treasure trove if found before the commencement of this section, neither the Crown nor any franchisee has any interest in it or right over it except in accordance with this Act.
- (4) This section applies—
  - (a) whatever the nature of the place where the treasure was found, and
  - (b) whatever the circumstances in which it was left (including being lost or being left with no intention of recovery).

#### **5 Meaning of “franchisee”**

- (1) The franchisee for any treasure is the person who—
  - (a) was, immediately before the commencement of section 4, or
  - (b) apart from this Act, as successor in title, would have been,the franchisee of the Crown in right of treasure trove for the place where the treasure was found.
- (2) It is as franchisees in right of treasure trove that Her Majesty and the Duke of Cornwall are to be treated as having enjoyed the rights to treasure trove which belonged

---

*Status: This is the original version (as it was originally enacted).*

---

respectively to the Duchy of Lancaster and the Duchy of Cornwall immediately before the commencement of section 4.

## **6 Treasure vesting in the Crown**

- (1) Treasure vesting in the Crown under this Act is to be treated as part of the hereditary revenues of the Crown to which section 1 of the Civil List Act 1952 applies (surrender of hereditary revenues to the Exchequer).
- (2) Any such treasure may be transferred, or otherwise disposed of, in accordance with directions given by the Secretary of State.
- (3) The Crown's title to any such treasure may be disclaimed at any time by the Secretary of State.
- (4) If the Crown's title is disclaimed, the treasure—
  - (a) is deemed not to have vested in the Crown under this Act, and
  - (b) without prejudice to the interests or rights of others, may be delivered to any person in accordance with the code published under section 11.