



Cultural Property (Armed Conflicts) Act 2017

CHAPTER 6

CULTURAL PROPERTY (ARMED CONFLICTS) ACT 2017

PART 1

KEY DEFINITIONS

- 1 “The Convention” and related expressions
- 2 “Cultural property”

PART 2

SERIOUS VIOLATION OF SECOND PROTOCOL

- 3 Offence of serious violation of Second Protocol
- 4 Ancillary offences
- 5 Responsibility of commanders and other superiors
- 6 Penalties
- 7 Consent to prosecutions

PART 3

CULTURAL EMBLEM

- 8 The cultural emblem
- 9 Offence of unauthorised use
- 10 Use authorised by appropriate national authority
- 11 Other authorised use: moveable property
- 12 Other authorised use: personnel
- 13 Defences
- 14 Forfeiture following conviction under section 9

15 “Appropriate national authority”

PART 4

PROPERTY EXPORTED FROM OCCUPIED TERRITORY

Definitions

16 “Unlawfully exported cultural property” etc

Dealing in unlawfully exported cultural property

17 Offence of dealing in unlawfully exported cultural property

18 Forfeiture in connection with dealing offence

Forfeiture otherwise than in connection with offence

19 Property liable to forfeiture

20 Forfeiture order

21 Compensation

22 Interim orders

Seizure and retention of property liable to forfeiture

23 Search and seizure warrants

24 Retention of property in custody of constable

25 Notices of seizure or retention

26 Property in custody of others

27 Return of property to owner if not forfeited

PART 5

PROPERTY REMOVED FOR SAFEKEEPING

28 Immunity from seizure or forfeiture

PART 6

GENERAL

29 Liability of company officers for offences by company

30 Crown application

31 Extent

32 Commencement

33 Short title

SCHEDULES

SCHEDULE 1 — Convention

The High Contracting Parties,

Recognizing that cultural property has suffered grave damage during recent...

Being convinced that damage to cultural property belonging to any...

Considering that the preservation of the cultural heritage is of...

Guided by the principles concerning the protection of cultural property...

Being of the opinion that such protection cannot be effective...

Being determined to take all possible steps to protect cultural...

Changes to legislation: There are currently no known outstanding effects for the Cultural Property (Armed Conflicts) Act 2017. (See end of Document for details)

Have agreed upon the following provisions:

The High Contracting Parties,

Recognizing that cultural property has suffered grave damage during recent...

Being convinced that damage to cultural property belonging to any...

Considering that the preservation of the cultural heritage is of...

Guided by the principles concerning the protection of cultural property...

Being of the opinion that such protection cannot be effective...

Being determined to take all possible steps to protect cultural...

Have agreed upon the following provisions:

— CHAPTER I. GENERAL PROVISIONS REGARDING PROTECTION
DEFINITION OF CULTURAL PROPERTY...

CHAPTER I.

GENERAL PROVISIONS REGARDING PROTECTION

- Article 1 Definition of cultural property
- Article 2 Protection of cultural property
- Article 3 Safeguarding of cultural property
- Article 4 Respect for cultural property
- Article 5 Occupation
- Article 6 Distinctive marking of cultural property
- Article 7 Military measures

CHAPTER II.

SPECIAL PROTECTION

- Article 8 Granting of special protection
- Article 9 Immunity of cultural property under special protection
- Article 10 Identification and control
- Article 11 Withdrawal of immunity

CHAPTER III.

TRANSPORT OF CULTURAL PROPERTY

- Article 12 Transport under special protection
- Article 13 Transport in urgent cases
- Article 14 Immunity from seizure, capture and prize

CHAPTER IV.

PERSONNEL

- Article 15 Personnel

CHAPTER V.

THE DISTINCTIVE EMBLEM

- Article 16 Emblem of the convention
Article 17 Use of the emblem

CHAPTER VI.

SCOPE OF APPLICATION OF THE CONVENTION

- Article 18 Application of the Convention
Article 19 Conflicts not of an international character

CHAPTER VII.

EXECUTION OF THE CONVENTION

- Article 20 Regulations for the execution of the Convention
Article 21 Protecting powers
Article 22 Conciliation procedure
Article 23 Assistance of UNESCO
Article 24 Special agreements
Article 25 Dissemination of the Convention
Article 26 Translations reports
Article 27 Meetings
Article 28 Sanctions

Final provisions

- Article 29 Languages
Article 30 Signature
Article 31 Ratification
Article 32 Accession
Article 33 Entry into force

Article	Effective application
34	
Article	Territorial extension of the Convention
35	
Article	Relation to previous conventions
36	
Article	Denunciation
37	
Article	Notifications
38	
Article	Revision of the Convention and of the Regulations for its execution
39	
Article	Registration
40	

SCHEDULE 2 — Regulations for the execution of the Convention
— CHAPTER I. CONTROL INTERNATIONAL LIST OF PERSONS ON
THE ENTRY INTO FORCE OF THE CONVENTION, THE DIRECTOR-
GENERAL...

CHAPTER I.

CONTROL

Article 1	International list of persons
Article 2	Organization of control
Article 3	Appointment of delegates of Protecting Powers
Article 4	Appointment of Commissioner-General
Article 5	Functions of delegates
Article 6	Functions of the Commissioner-General
Article 7	Inspectors and experts
Article 8	Discharge of the mission of control
Article 9	Substitutes for Protecting Powers
Article	Expenses
10	

CHAPTER II.

SPECIAL PROTECTION

Article	Improvised refuges
11	
Article	International Register of Cultural Property under Special Protection
12	
Article	Requests for registration
13	
Article	Objections
14	
Article	Registration
15	
Article	Cancellation
16	

CHAPTER III.

TRANSPORT OF CULTURAL PROPERTY

- Article 17 Procedure to obtain immunity
 Article 18 Transport abroad
 Article 19 Occupied territory

CHAPTER IV.

THE DISTINCTIVE EMBLEM

- Article 20 Affixing of the emblem
 Article 21 Identification of persons

SCHEDULE 3 — First Protocol

The High Contracting Parties are agreed as follows:

- I (1) Each High Contracting Party undertakes to prevent the exportation,...
- II (5) Cultural property coming from the territory of a High...
- III (6) The present Protocol shall bear the date of 14...

SCHEDULE 4 — Second Protocol

The Parties,

Conscious of the need to improve the protection of cultural...

Reaffirming the importance of the provisions of the Convention for...

Desiring to provide the High Contracting Parties to the Convention...

Considering that the rules governing the protection of cultural property...

Affirming that the rules of customary international law will continue...

Have agreed as follows:

The Parties,

Conscious of the need to improve the protection of cultural...

Reaffirming the importance of the provisions of the Convention for...

Desiring to provide the High Contracting Parties to the Convention...

Considering that the rules governing the protection of cultural property...

Affirming that the rules of customary international law will continue...

Have agreed as follows:

— CHAPTER 1 INTRODUCTION DEFINITIONS FOR THE PURPOSES OF THIS PROTOCOL: (A) "PARTY" MEANS A...

CHAPTER 1

INTRODUCTION

- Article 1 Definitions
 Article 2 Relation to the Convention

- Article 3 Scope of application
Article 4 Relationship between Chapter 3 and other provisions of the Convention and this Protocol

CHAPTER 2

GENERAL PROVISIONS REGARDING PROTECTION

- Article 5 Safeguarding of cultural property
Article 6 Respect for cultural property
Article 7 Precautions in attack
Article 8 Precautions against the effects of hostilities
Article 9 Protection of cultural property in occupied territory

CHAPTER 3

ENHANCED PROTECTION

- Article 10 Enhanced protection
Article 11 The granting of enhanced protection
Article 12 Immunity of cultural property under enhanced protection
Article 13 Loss of enhanced protection
Article 14 Suspension and cancellation of enhanced protection

CHAPTER 4

CRIMINAL RESPONSIBILITY AND JURISDICTION

- Article 15 Serious violations of this Protocol
Article 16 Jurisdiction
Article 17 Prosecution
Article 18 Extradition
Article 19 Mutual legal assistance
Article 20 Grounds for refusal
Article 21 Measures regarding other violations

CHAPTER 5

THE PROTECTION OF CULTURAL PROPERTY IN ARMED CONFLICTS NOT OF AN INTERNATIONAL CHARACTER

- Article Armed conflicts not of an international character
22

CHAPTER 6

INSTITUTIONAL ISSUES

- Article Meeting of the Parties
23
- Article Committee for the Protection of Cultural Property in the Event of
24 Armed Conflict
- Article Term of office
25
- Article Rules of procedure
26
- Article Functions
27
- Article Secretariat
28
- Article The Fund for the Protection of Cultural Property in the Event of Armed
29 Conflict

CHAPTER 7

DISSEMINATION OF INFORMATION AND INTERNATIONAL ASSISTANCE

- Article Dissemination
30
- Article International cooperation
31
- Article International assistance
32
- Article Assistance of UNESCO
33

CHAPTER 8

EXECUTION OF THIS PROTOCOL

- Article Protecting Powers
34
- Article Conciliation procedure
35
- Article Conciliation in absence of Protecting Powers
36
- Article Translations and reports
37

Article 38 State responsibility

CHAPTER 9

FINAL CLAUSES

Article 39 Languages

Article 40 Signature

Article 41 Ratification, acceptance or approval

Article 42 Accession

Article 43 Entry into force

Article 44 Entry into force in situations of armed conflict

Article 45 Denunciation

Article 46 Notifications

Article 47 Registration with the United Nations

Changes to legislation:

There are currently no known outstanding effects for the Cultural Property (Armed Conflicts) Act 2017.