



# Cultural Property (Armed Conflicts) Act 2017

## 2017 CHAPTER 6

### PART 6

#### GENERAL

#### **29 Liability of company officers for offences by company**

- (1) If an offence to which this section applies is committed by a body corporate or a Scottish partnership and is proved to have been committed with the consent or connivance of an officer, the officer (as well as the body corporate or partnership) is guilty of the offence and liable to be proceeded against and punished accordingly.
- (2) This section applies to—
  - (a) an offence under section 3 or an offence that is ancillary to such an offence (within the meaning given by section 4);
  - (b) an offence under section 9;
  - (c) an offence under section 17.
- (3) In relation to a body corporate “officer” means—
  - (a) a director, manager, secretary or other similar officer of the body, or
  - (b) a person purporting to act in any such capacity.
- (4) In relation to a Scottish partnership “officer” means—
  - (a) a partner, or
  - (b) a person purporting to act as a partner.
- (5) If the affairs of a body corporate are managed by its members, subsection (1) applies in relation to the acts and defaults of a member in connection with functions of management as if the member were an officer of the body.

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*Changes to legislation: There are currently no known outstanding effects for the Cultural Property (Armed Conflicts) Act 2017, Part 6. (See end of Document for details)*

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### **30 Crown application**

- (1) This Act binds the Crown.
- (2) No contravention by the Crown of a provision of this Act makes the Crown criminally liable.
- (3) Subsection (2) does not affect the criminal liability of persons in the service of the Crown.
- (4) The High Court or, in Scotland, the Court of Session may, on the application of a person appearing to the Court to have an interest, declare unlawful an act or omission of the Crown which constitutes a contravention of a provision of this Act.
- (5) Nothing in this section affects Her Majesty in her private capacity.
- (6) Subsection (5) is to be read as if section 38(3) of the Crown Proceedings Act 1947 (references to Her Majesty in her private capacity) were contained in this Act.

### **31 Extent**

- (1) This Act extends to—
  - (a) England and Wales,
  - (b) Scotland, and
  - (c) Northern Ireland.
- (2) Her Majesty may by Order in Council provide for any of the provisions of this Act to extend, with or without modifications, to—
  - (a) the Isle of Man;
  - (b) any British overseas territory.

### **32 Commencement**

- (1) This Part comes into force on the day on which this Act is passed.
- (2) The other provisions of this Act come into force on such day as the Secretary of State may by regulations appoint.
- (3) Different days may be appointed for different purposes.
- (4) The Secretary of State may by regulations make transitional or saving provision in connection with the coming into force of any provision of this Act.
- (5) Regulations under this section are to be made by statutory instrument.

### **33 Short title**

This Act may be cited as the Cultural Property (Armed Conflicts) Act 2017.

**Changes to legislation:**

There are currently no known outstanding effects for the Cultural Property (Armed Conflicts) Act 2017, Part 6.