



# Cultural Property (Armed Conflicts) Act 2017

## 2017 CHAPTER 6

### PART 4

#### PROPERTY EXPORTED FROM OCCUPIED TERRITORY

##### *Seizure and retention of property liable to forfeiture*

#### **23 Search and seizure warrants**

- (1) A justice may issue a warrant under this section in respect of any premises if satisfied that there are reasonable grounds for suspecting that property liable to forfeiture under section 19 is likely to be found.
- (2) A warrant under this section authorises a constable—
  - (a) to enter and search the premises specified in the warrant, and
  - (b) to seize any property found there which the constable has grounds for believing is liable to forfeiture under section 19.
- (3) A person exercising a power conferred by a warrant under this section may, if necessary, use reasonable force in the exercise of the power.
- (4) Property seized under this section must be retained by a constable pending—
  - (a) forfeiture of the property under section 20, or
  - (b) return or disposal of the property under section 27.
- (5) A person who has custody of property following its seizure under this section must give notice of its seizure to any person who, to his or her knowledge, owned the property at the time it was seized.
- (6) But notice need not be given if the property was seized in the presence of—
  - (a) the owner, or
  - (b) an employee or agent of the owner.

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*Changes to legislation: There are currently no known outstanding effects for the Cultural Property (Armed Conflicts) Act 2017, Section 23. (See end of Document for details)*

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- (7) A reference in this section to the owner of property means, if there is more than one owner, any of them.
- (8) In this section—
- “justice” means—
    - (a) in England and Wales, a justice of the peace,
    - (b) in Scotland, a sheriff or summary sheriff, and
    - (c) in Northern Ireland, a lay magistrate;
  - “premises” has the same meaning as in the Police and Criminal Evidence Act 1984 (see section 23 of that Act).
- (9) In Schedule 1 to the Criminal Justice and Police Act 2001 (powers which relate to the seizure of property in bulk), in Part 1, at the end insert—

**“Cultural Property (Armed Conflicts) Act 2017**

- 73Q The power of seizure conferred by section 23 of the Cultural Property (Armed Conflicts) Act 2017 (seizure of property liable to forfeiture under section 19 of that Act).”

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**Commencement Information**

- II** [S. 23](#) in force at 12.12.2017 by [S.I. 2017/1087](#), [reg. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Cultural Property (Armed Conflicts) Act 2017, Section 23.