



Cultural Property (Armed Conflicts) Act 2017

2017 CHAPTER 6

PART 2

SERIOUS VIOLATION OF SECOND PROTOCOL

3 Offence of serious violation of Second Protocol

- (1) A person commits an offence if—
 - (a) the person does an intentional act of a kind described in any of sub-paragraphs (a) to (e) of paragraph 1 of Article 15 of the Second Protocol,
 - (b) the act is a violation of the Convention or the Second Protocol, and
 - (c) the person knows that the property to which the act relates is cultural property.
- (2) It does not matter whether the act is done in the United Kingdom or elsewhere.
- (3) If the act is of a kind described in paragraph 1(a), (b) or (c) of Article 15 of the Second Protocol it does not matter whether the person is a UK national.
- (4) If the act is of a kind described in paragraph 1(d) or (e) of that Article and is done outside the United Kingdom an offence is committed only if the person is—
 - (a) a UK national, or
 - (b) a person subject to UK service jurisdiction.
- (5) In this Part “UK national” means—
 - (a) a British citizen, a British overseas territories citizen, a British National (Overseas) or a British Overseas Citizen,
 - (b) a person who under the British Nationality Act 1981 is a British subject,
 - (c) a British protected person within the meaning of that Act, or
 - (d) a body incorporated under the law of any part of the United Kingdom.
- (6) In this Part “person subject to UK service jurisdiction” means—

Status: This is the original version (as it was originally enacted).

- (a) a person subject to service law within the meaning of the Armed Forces Act 2006, or
- (b) a civilian subject to service discipline within the meaning of that Act.