



Cultural Property (Armed Conflicts) Act 2017

2017 CHAPTER 6

PART 4

PROPERTY EXPORTED FROM OCCUPIED TERRITORY

Dealing in unlawfully exported cultural property

17 Offence of dealing in unlawfully exported cultural property

- (1) It is an offence for a person to deal in unlawfully exported cultural property, knowing or having reason to suspect that it has been unlawfully exported.
- (2) Subsection (1) does not apply to property imported into the United Kingdom before this section comes into force.
- (3) A person deals in unlawfully exported cultural property if (and only if) the person—
 - (a) acquires or disposes of it in the United Kingdom or imports it into, or exports it from, the United Kingdom,
 - (b) agrees with another to do an act mentioned in paragraph (a), or
 - (c) makes arrangements under which another does such an act or under which another agrees with a third person to do such an act.
- (4) “Acquires” means buys, hires, borrows or accepts.
- (5) “Disposes of” means sells, lets on hire, lends or gives.
- (6) A person guilty of an offence under this section in England and Wales is liable—
 - (a) on conviction on indictment, to imprisonment for a term not exceeding 7 years or a fine (or both);
 - (b) on summary conviction, to imprisonment for a term not exceeding 12 months or a fine (or both).

Status: This is the original version (as it was originally enacted).

- (7) A person guilty of an offence under this section in Scotland is liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding 7 years or a fine (or both);
 - (b) on summary conviction, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both).
- (8) A person guilty of an offence under this section in Northern Ireland is liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding 7 years or a fine (or both);
 - (b) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum (or both).
- (9) In relation to an offence committed before section 282 of the Criminal Justice Act 2003 comes into force the reference in subsection (6)(b) to 12 months has effect as a reference to 6 months.

18 Forfeiture in connection with dealing offence

- (1) The court by or before which a person is convicted of an offence under section 17 may order the forfeiture of the property in respect of which the offence was committed.
- (2) The court may also make such provision as appears to it to be necessary for giving effect to the forfeiture.
- (3) That provision may include, in particular, provision relating to the retention or disposal of the property.
- (4) Provision made under this section may be varied at any time by the court that made it.