



Cultural Property (Armed Conflicts) Act 2017

2017 CHAPTER 6

PART 4

PROPERTY EXPORTED FROM OCCUPIED TERRITORY

Definitions

16 “Unlawfully exported cultural property” etc

- (1) For the purposes of this Part property is “unlawfully exported cultural property” if—
 - (a) it has been unlawfully exported from a territory which at the time was occupied by a state that was a party to the First or Second Protocol, or
 - (b) it has been unlawfully exported from a territory which at the time—
 - (i) was territory of a state that was a party to the First or Second Protocol, and
 - (ii) was occupied by another state.
- (2) It does not matter whether the property was exported before or after this section comes into force.
- (3) For the purposes of this Part exportation of property is “unlawful” if—
 - (a) it is in contravention of the laws of the territory from which the property is exported, or
 - (b) it is in contravention of any rule of international law.
- (4) A reference in subsection (1) to a state that was a party to the First or Second Protocol is to a state that was a party to the First or Second Protocol at the time of the export.
- (5) In determining for the purposes of this Part whether territory is occupied regard must be had to Article 42 of the Regulations respecting the Laws and Customs of War on

Status: This is the original version (as it was originally enacted).

Land annexed to the Convention respecting the Laws and Customs of War on Land (Hague IV), done at the Hague on 18 October 1907.

- (6) If in any proceedings an issue arises as to whether cultural property is unlawfully exported cultural property, a certificate by the Secretary of State is conclusive evidence as to whether, at a particular time, territory was occupied by a party to the First or Second Protocol or by any other state.