



# Cultural Property (Armed Conflicts) Act 2017

## 2017 CHAPTER 6

### PART 4

#### PROPERTY EXPORTED FROM OCCUPIED TERRITORY

#### *Forfeiture otherwise than in connection with offence*

#### **19 Property liable to forfeiture**

Unlawfully exported cultural property is liable to forfeiture if it is imported into the United Kingdom after this section comes into force.

#### **20 Forfeiture order**

- (1) The appropriate court may, on an application by the Secretary of State, order the forfeiture of any property that is liable to forfeiture under section 19.
- (2) In this section “the appropriate court” means—
  - (a) in relation to England and Wales and Northern Ireland, the High Court, and
  - (b) in relation to Scotland, the Court of Session.

#### **21 Compensation**

- (1) A court may provide for a forfeiture order under section 20 to be conditional on the payment of a specified amount of compensation to a person who has acquired an interest in the property since it was unlawfully exported from occupied territory.
- (2) The court may provide for a forfeiture order to be conditional on the payment of compensation to a person who has acquired an interest only if satisfied that the person acquired the interest in good faith and without knowledge of the fact that the property had been unlawfully exported from occupied territory.

- (3) Nothing in this section obliges anyone to pay compensation but a conditional order—
- (a) does not take effect until the compensation is paid (whether by the Secretary of State or otherwise), and
  - (b) lapses if the compensation is not paid within the period of four months beginning with the day on which the order is made.

## **22 Interim orders**

- (1) The appropriate court may, on an application by the Secretary of State, make any order it thinks appropriate for the safekeeping of property that is or may be the subject of an application for a forfeiture order under section 20.
- (2) An order under this section may for example—
- (a) prohibit a person from dealing in the property;
  - (b) require it to be kept at a particular location;
  - (c) stipulate conditions under which it must be kept;
  - (d) require or authorise a person to take steps for its conservation.
- (3) If the property is not yet the subject of an application for a forfeiture order the court may make an order under this section only if it is satisfied that there is an arguable case that the property is liable to forfeiture.
- (4) An order made in the circumstances mentioned in subsection (3) lapses if no application for the forfeiture of the property is made within the period of four months beginning with the day on which the order is made.
- (5) An order under this section may be amended or discharged by the court that made it.
- (6) In this section “the appropriate court” has the meaning given in section 20(2).