



Tribunals, Courts and Enforcement Act 2007

2007 CHAPTER 15

PART 6

PROTECTION OF CULTURAL OBJECTS ON LOAN

134 Protected objects

- (1) An object is protected under section 135 if the conditions in subsection (2) are met when it enters the United Kingdom.
- (2) The conditions are—
 - (a) the object is usually kept outside the United Kingdom,
 - (b) it is not owned by a person resident in the United Kingdom,
 - (c) its import does not contravene a prohibition or restriction on the import of goods, imposed by or under any enactment, that applies to the object, a part of it or anything it conceals,
 - (d) it is brought to the United Kingdom for public display in a temporary exhibition at a museum or gallery, and
 - (e) the museum or gallery has complied with any requirements prescribed by regulations made by the Secretary of State under this paragraph about the publication of specified information about the object.
- (3) A person owns an object for the purposes of subsection (2)(b) whether he owns it beneficially or not and whether alone or with others.
- (4) The protection continues—
 - (a) only so long as the object is in the United Kingdom for any of the purposes in subsection (7), and
 - (b) unless subsection (5) applies, for not more than 12 months beginning with the day when the object enters the United Kingdom.

Changes to legislation: *Tribunals, Courts and Enforcement Act 2007, Section 134 is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- [^{F1}(4A) The relevant authority may extend the maximum protection period for a further period of up to 3 months in relation to an object that is in—
- (a) the United Kingdom for the purpose of public display in a temporary exhibition at a museum or gallery in England or Scotland, or
 - (b) England or Scotland for any of the purposes listed in subsection (7)(b) to (e).
- (4B) In subsection (4A) “relevant authority” means—
- (a) the Secretary of State in relation to an object that is—
 - (i) in the United Kingdom for the purpose of public display in a temporary exhibition at a museum or gallery in England, or
 - (ii) in England for any of the purposes listed in subsection (7)(b) to (e);
 - (b) the Scottish Ministers in relation to an object that is—
 - (i) in the United Kingdom for the purpose of public display in a temporary exhibition at a museum or gallery in Scotland, or
 - (ii) in Scotland for any of the purposes listed in subsection (7)(b) to (e).
- (4C) The power under subsection (4A)—
- (a) may be exercised on more than one occasion in relation to a particular object (whether by the same relevant authority or by different relevant authorities);
 - (b) if exercisable by both relevant authorities at a particular time in relation to a particular object, is exercisable concurrently by those authorities.
- (4D) In this section “maximum protection period”, in relation to an object, means—
- (a) the period of 12 months specified in subsection (4)(b),
 - (b) any longer period arising under subsection (5) in relation to the object, or
 - (c) if the power under subsection (4A) has been exercised in relation to the object, the period specified in subsection (4)(b), or arising under subsection (5), as extended by that exercise of that power (and by any other previous exercise of that power).
- (4E) In relation to an object the maximum protection period for which is the period mentioned in subsection (4D)(c), references to the United Kingdom in subsections (4)(a), (5) and (8) are to be read as references to England or Scotland.]
- (5) The protection continues after the end of the period specified in subsection (4)(b) [^{F2}, as extended under subsection (4A) if relevant,] if the object has suffered damage while protected, and—
- (a) it is undergoing repair, conservation or restoration in the United Kingdom because of the damage, or
 - (b) it is leaving the United Kingdom following repair, conservation or restoration because of the damage.
- (6) A new period of protection begins each time an object enters the United Kingdom and the conditions in subsection (2) are met.
- (7) The purposes mentioned in subsection (4)(a) are—
- (a) public display in a temporary exhibition at a museum or gallery;
 - (b) going to or returning from public display in a temporary exhibition at a museum or gallery;
 - (c) related repair, conservation or restoration;
 - (d) going to or returning from related repair, conservation or restoration;

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- (e) leaving the United Kingdom.
- (8) Repair, conservation or restoration is related if it is carried out in the United Kingdom and is done—
 - (a) to prepare the object for public display in a temporary exhibition at a museum or gallery, or
 - (b) because of damage suffered in the course of something within subsection (7).
- (9) The Secretary of State may make regulations requiring a museum or gallery to provide persons with specified information about an object in specified circumstances (which may include in particular compliance with conditions imposed by or under the regulations).
- (10) Regulations under this section—
 - (a) may not be made without the consent of the Scottish Ministers, the Welsh Ministers and the Department for Culture, Art and Leisure in Northern Ireland, and
 - (b) must be made by statutory instrument.
- (11) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

- F1** S. 134(4A)-(4E) inserted (28.6.2022) by [Cultural Objects \(Protection from Seizure\) Act 2022 \(c. 24\)](#), [ss. 1\(2\)](#), 2(2)
 - F2** Words in s. 134(5) inserted (28.6.2022) by [Cultural Objects \(Protection from Seizure\) Act 2022 \(c. 24\)](#), [ss. 1\(3\)](#), 2(2)
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Commencement Information

- I1** Pt. 6 wholly in force at 22.4.2008; Pt. 6 not in force at Royal Assent see s. 148; Pt. 6 in force for E. at 31.12.2007 by [S.I. 2007/3613](#), [art. 2](#); Pt. 6 in force for S. at 21.4.2008 by [S.S.I. 2008/150](#), [art. 2](#); Pt. 6 in force for N.I. and in application to W. at 22.4.2008 by [S.I. 2008/1158](#), [art. 2](#)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13(8)(bza) inserted by [2022 c. 36 s. 23\(2\)](#)
- s. 13(8)(bzb) inserted by [2022 c. 36 s. 24\(9\)](#)
- s. 16(3)(a) word inserted by [2015 c. 2 s. 85\(3\)\(a\)](#)
- s. 16(3)(b) and word inserted by [2015 c. 2 s. 85\(3\)\(b\)](#)
- s. 16(3A)(3B) inserted by [2015 c. 2 s. 85\(4\)](#)
- s. 22(6) inserted by [2022 c. 35 Sch. 4 para. 4\(2\)](#)
- s. 23(8) inserted by [2022 c. 35 Sch. 4 para. 4\(3\)](#)
- s. 25A inserted by [2022 c. 36 s. 80\(1\)](#)
- s. 29(3A) inserted by [2022 c. 36 s. 81\(6\)](#)
- Sch. 5 para. 11A and cross-heading inserted by [2022 c. 36 s. 80\(2\)](#)
- Sch. 7 para. 6(1)(e) words substituted by [2013 c. 22 Sch. 14 para. 13\(2\)](#) (Sch. 7 was already repealed when this amendment came into force)
- Sch. 7 para. 6(4)(b) words substituted by [2013 c. 22 Sch. 14 para. 13\(2\)](#) (Sch. 7 was already repealed when this amendment came into force)