



Tribunals, Courts and Enforcement Act 2007

2007 CHAPTER 15

PART 6

PROTECTION OF CULTURAL OBJECTS ON LOAN

135 Effect of protection

- (1) While an object is protected under this section it may not be seized or forfeited under any enactment or rule of law, unless—
 - (a) it is seized or forfeited under or by virtue of an order made by a court in the United Kingdom, and
 - (b) the court is required to make the order under, or under provision giving effect to, [F¹an EU obligation] or any international treaty.
- (2) Protection under this section does not affect liability for an offence of importing, exporting or otherwise dealing with the object, but (subject to subsection (1)) any power of arrest or otherwise to prevent such an offence is not exercisable so as to prevent the object leaving the United Kingdom.
- (3) In this section, references to seizure or forfeiture in relation to an object include references to—
 - (a) taking control of the object under Schedule 12 (in England and Wales);
 - (b) execution or distress (in England and Wales or Northern Ireland);
 - (c) diligence or sequestration (in Scotland);
 - (d) seizure, confiscation or forfeiture, or any other measure relating to the custody or control of the object, in the course of a criminal investigation or criminal proceedings (against the owner, the museum or gallery or any other person);
 - (e) the making or enforcement of an order relating to the custody or control of the object in civil proceedings (against the owner, the museum or gallery or any other person).

Changes to legislation: Tribunals, Courts and Enforcement Act 2007, Section 135 is up to date with all changes known to be in force on or before 18 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](#)

Textual Amendments

- F1** Act: for the phrase "a Community obligation" there is substituted (22.4.2011) "an EU obligation" by virtue of [The Treaty of Lisbon \(Changes in Terminology\) Order 2011 \(S.I. 2011/1043\)](#), **arts. 3(1)(2), 6(1)(e)(3)** (with **art. 3(3)**)
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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)