

2001 No. 3972

CULTURAL OBJECTS

**The Return of Cultural Objects (Amendment)
Regulations 2001**

Made - - - - 10th December 2001

Laid before Parliament 11th December 2001

Coming into force 1st January 2002

The Secretary of State, being a Minister designated^(a) for the purposes of section 2(2) of the European Communities Act 1972^(b) in relation to the return of cultural objects unlawfully removed from the territory of a member State, in exercise of the powers conferred on her by section 2(2) of that Act^(c) and of all other powers enabling her in that behalf, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Return of Cultural Objects (Amendment) Regulations 2001 and shall come into force on 1st January 2002.

Amendment

2.—(1) The Return of Cultural Objects Regulations 1994^(d) shall be amended in accordance with the provisions of this regulation.

(2) In regulation 2(1) (interpretation) at the end there shall be inserted “and Directive 2001/38/EC of the European Parliament and of the Council”^(e).

(3) In regulation 2(3) the words “in United Kingdom currency” shall be omitted and at the end there shall be inserted “and for the purposes of converting the financial thresholds into United Kingdom currency the values expressed in euro in the Schedule shall be converted at the rate of exchange on 31 December 2001 published in the Official Journal of the European Communities”.

(4) In the Schedule to the Regulations—

(a) for the figure and word “0 (Zero)” there shall be substituted the words “Whatever the value”; and

(a) S.I. 1992/1711.

(b) 1972 c.68.

(c) Notwithstanding the transfer of functions in relation to which Scottish Ministers have devolved competence under section 53 of the Scotland Act 1998 (c.46), the Secretary of State may make these Regulations by virtue of section 57(1) of that Act.

(d) S.I. 1994/501, as amended by S.I. 1997/1719.

(e) OJ No. L 187, 10.07.01, p.43.

- (b) for the figure “£11,900.00” there shall be substituted the figure “€15,000.00”; and
- (c) for the figure “£23,800.00” there shall be substituted the figure “€30,000.00”; and
- (d) for the figure “£39,600.00” there shall be substituted the figure “€50,000.00”; and
- (e) for the figure “£119,000.00” there shall be substituted the figure “€150,000.00”.

10th December 2001

Tessa Blackstone
Minister of State,
Department for Culture,
Media and Sport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement Directive 2001/38/EC of the European Parliament and of the Council (OJ No. L187, 10.07.01, p.43) which amends the Annex to Directive 93/7/EEC (as amended by Directive 96/100/EC) on the return of cultural objects unlawfully removed from the territory of a member State (OJ No. L74, 27.3.93, p.74), which was in turn implemented by the Return of Cultural Objects Regulations 1994 (S.I. 1994/501 (“the 1994 Regulations”) (as amended by The Return of Cultural Objects (Amendment) Regulations 1997 (S.I. 1997/1719) implementing Directive 96/100/EC).

Regulation 2(2) amends the definition of “the Directive” in the 1994 Regulations so that it includes a reference to Directive 2001/38/EC.

Regulation 2(3) amends the 1994 Regulations so that the financial thresholds applicable to cultural objects are set out in euros and for the purpose of converting those financial thresholds to United Kingdom currency (sterling) the rate of exchange shall be the rate published in the Official Journal of the European Communities on 31 December 2001.

Regulation 2(4) amends the Schedule in the 1994 Regulations to make it clear that, whatever their value, the categories of cultural object listed under the first heading are to be considered as cultural objects to which the 1994 Regulations apply and substitutes the euro financial threshold, as it appears in the Annex to the Directive (as amended by Council Regulation (EC) No. 1103/97 (OJ No. L162, 19.6.97, p.1)), for the sterling financial threshold.

A Transposition Note is available, copies of which have been placed in the libraries of both Houses of Parliament. Copies are also available from the Export Licensing Unit of the Department for Culture, Media and Sport, 2–4 Cockspur Street, London SW1Y 5DH.

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