

Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property

Danish declaration regarding the scope of application of article 1

The property designated as "of importance for archaeology, prehistory, history, literature, art or science", in accordance with article 1 of the Convention, are the properties covered by the Danish legislation concerning protection of cultural assets and the Danish Museum Act.

Act on Protection of Cultural Assets in Denmark

The Act on Protection of Cultural Assets in Denmark came into force on 1st January 1987. According to section 2 (1) in the Act on Protection of Cultural Assets in Denmark the Act applies to the following cultural assets which are not publicly owned:

- cultural objects of the period before 1660
- cultural objects older than 100 years and valued at DKK 100,000 or more
- photographs (regardless of age) if they have a value of DKK 30,000 or more.

In exceptional cases the Minister of Culture can decide that the Act is also applicable to other objects of cultural interest.

Coins and medals are the only cultural objects explicitly exempted from the regulations of the Act.

The above mentioned assets must not be exported from Denmark without permission from the Commission on Export of Cultural Assets.

Museum Act

According to section 28 of the Museum Act any person who finds an ancient relic or monument, including shipwrecks, cargo or parts of such wrecks, which at any time must be assumed lost more than 100 years ago, in watercourses, in lakes, in territorial waters or on the continental shelf, but not beyond 24 nautical miles from the base lines from which the width of outer territorial waters is measured, shall immediately notify the Minister of Culture. Such objects shall

belong to the state, unless any person proves that he or she is the rightful owner. Any person who gathers up an object belonging to the state, and any person, who gains possession of such an object, shall immediately deliver it to the Minister of Culture.

According to section 30 of the Museum Act objects of the past, including coins found in Denmark, of which no one can prove to be the rightful owner, shall be treasure trove (*danefæ*) if made of valuable material or being of a special cultural heritage value. Treasure trove shall belong to the state. Any person who finds treasure trove, and any person, who gains possession of treasure trove, shall immediately deliver it to the National Museum of Denmark.

According to section 31 of the Museum Act a geological object or a botanical or zoological object of a fossil or subfossil nature or a meteorite found in Denmark is fossil trove (*danekræ*) if the object is of unique scientific or exhibitional value. Fossil trove shall belong to the state. Any person who finds fossil trove, and any person, who gains possession of fossil trove, shall immediately deliver it to the Danish Museum of Natural History.