

What happens if the find is Treasure?

If the Finds Liaison Officer, museum curator or archaeologist believes that the find may be Treasure, they will inform the British Museum, or the National Museums & Galleries of Wales. They will then decide whether they or any other museum wishes to acquire it from the Crown.

If no museum wishes to acquire the find from the Crown, the Secretary of State will disclaim it. When this happens, the Coroner will notify the landowner that the object is to be returned you, after 28 days, unless the landowner objects. If the landowner objects, the Coroner will retain the find until you and the landowner have resolved any dispute.

What if a museum wants to acquire my find?

The Coroner will hold an inquest to decide whether the find is Treasure. You, the site occupier, and the landowner will be invited to attend, and will be able to question witnesses at the inquest. Treasure inquests will be held without a jury.

If the find is declared to be Treasure then it will be taken to the British Museum or the National Museums & Galleries of Wales so that it can be valued by the Treasure Valuation Committee.

How is a fair market value for a Treasure find arrived at?

Any Treasure find, that a museum wishes to acquire, is valued by the Treasure Valuation Committee which consists of independent experts. The Committee will commission a valuation from one or more experts drawn from the antiquities or coin trades. You, the landowner and the acquiring museum, will have the option to comment on this valuation, and/or to send in a separate valuation for the Committee to consider. The Committee will inspect the find and arrive at a valuation. If you are then dissatisfied

6

97mm

with the Committee's valuation, you can ask for the Committee to review it, in the light of written evidence that you want the Committee to see. If you are still dissatisfied, you can then appeal to the Secretary of State.

What if the Coroner or the national museum loses or damages my find?

They are required to take reasonable steps to ensure that this does not happen but, if it does, you should be compensated.

Who is eligible to a share of the valuation?

This is set out in detail in the Code of Practice. To summarise:

- the finder who has obtained permission to be on the land from its owner, and acted in good faith.
- the person or organisation which holds the freehold of the land.
- the person who occupies the particular site as a tenant of the owner.

Who is not eligible to a share of the valuation?

- an archaeologist who makes a Treasure find

A finder or a landowner who has acted in bad faith, and not in accordance the Code of Practice, may expect a reduced share of the valuation, or none at all.

How long will it take before I receive my reward?

The target should be that the period between the find being received by the Coroner, or by the organization to whom he has directed that the find be delivered, and the payment of an ex gratia reward should not be longer than

7

98mm

twelve months (provided no challenges are made to valuations), although it may be necessary to exceed this period in exceptional cases such as large hoards of coins, or finds that present particular difficulties.

For further advice about Treasure:

British Museum
Treasure Registrar
Tel: 020 7323 8611

Department for Culture Media & Sport
Cultural Property Unit
Treasure section
Tel: 020 7211 6181
Fax: 020 7211 6170

British Museum
Portable Antiquities Scheme
Tel: 020 7323 8611
E-mail: info@finds.org.uk

For Treasure publications:

Department for Culture Media & Sport
Information Centre
Tel: 020 7211 6200
E-mail: enquiries@culture.gov.uk

Front cover: Medieval silver gilt figure from Buntingford, Hertfordshire.



Department for Culture, Media and Sport
2-4 Cockspur Street
London SW1Y 5DH
PP 559 March 2003

99mm



The Treasure Act

Information for finders of Treasure (England & Wales)



100mm

The Treasure Act 1996 replaced the common law of treasure trove in England, Wales and Northern Ireland. On 1 January 2003, the definition of Treasure was extended, as set out below.

This leaflet provides a summary of the main points of the Act: further information will be found in the Treasure Act Code of Practice which can be downloaded (free of charge) from the Department for Culture Media & Sport's website at www.culture.gov.uk, from the British Museum's Treasure Registrar, and from your Local Finds Liaison Officer, (see www.finds.org.uk) or through the National Council for Metal Detecting.

Metal detectorists are strongly advised to obtain a copy of the Code which, amongst other things, contains guidance for detectorists, sets out guidance on the payment of rewards, gives advice on the care of finds and has lists of useful addresses.

What objects qualify as Treasure ?

The following finds are Treasure under the Act, if found after 24 September 1997 (or, in the case of category 2, if found after 1 January 2003):

1. Any metallic object, other than a coin, provided that at least 10 per cent by weight of metal is precious metal (that is, gold or silver) and that it is at least 300 years old when found. If the object is of prehistoric date it will be Treasure provided any part of it is precious metal.
2. Any group of two or more metallic objects of any composition of prehistoric date that come from the same find (see below)
3. All coins from the same find provided they are at least 300 years old when found (but if the coins contain at least 10 per cent of gold or silver there must be at least ten of them).

Only the following groups of coins will normally be regarded as coming from *the same find*: (a) hoards that have been deliberately hidden, (b) smaller groups of coins,

2

100mm

such as the contents of purses, that may be dropped or lost, and (c) votive or ritual deposits.

4. Any object, whatever it is made of, that is found in the same place as, or had previously been together with, another object that is Treasure.
5. Any object that would previously have been treasure trove, but does not fall within the specific categories given above. Only objects that are less than 300 years old, that are made substantially of gold or silver, that have been deliberately hidden with the intention of recovery and whose owners or heirs are unknown will come into this category.

Note: An object or coin is part of the 'same find' as another object or coin if it is found in the same place as, or had previously been together with, the other object. Finds may have become scattered since they were originally deposited in the ground.

What objects do not qualify as Treasure ?

The following types of find are not Treasure:

- objects whose owners can be traced.
- unworked natural objects, including human and animal remains, even if they are found in association with Treasure.
- objects from the foreshore which are wreck.
- single coins found on their own
- groups of coins lost one by one over a period of time.

If you are in any doubt, it is always safest to report your find. Your local Finds Liaison Officer will be glad to record all archaeological objects that you find.

What should I do if I find something that may be Treasure ?

You must report all finds of Treasure to the Coroner for the district in which the finds were made either within 14 days

3

99mm

after the day on which you made the find or within 14 days after the day on which you realised that the find might be Treasure (for example, as a result of having it identified). The obligation to report finds applies to everyone, including archaeologists.

How do I report a find of Treasure ?

Very simply. You may report your find to the Coroner in person, by letter, telephone, fax, or email. The Coroner or his officer will send you an acknowledgement and tell you where you should deposit your find. The Code of Practice has a list of Coroners' contact details.

Finds made in one of the few areas in which a Treasure Franchise operates (the Duchies of Lancaster and Cornwall, the Corporations of Bristol and London), should be reported to the Coroner in the normal way.

Where will I have to take my find?

In each Coroner's district, there is a local agreement between the Coroner, the Finds Liaison Officer (FLO), local government archaeological officers (in Wales, the Regional Archaeological Trusts) and local or national museums, about where Treasure finds should be deposited. From December 2003, a national network of FLOs will have been established across the whole of England and Wales. The FLOs will then be the main point of contact for Treasure finds.

The Finds Liaison Officer (FLO), museum or local government archaeological officer receiving the find will give you a receipt. They will need to know exactly where you made the find, (wherever possible to the equivalent of a six-figure national grid reference). However, in official dealings, a parish address or else a four-figure national grid reference (one square kilometre) will be used, whilst a more general location description may be used for a particularly sensitive find. You and the landowner should keep the find-site location confidential.

4

98mm

The body or individual receiving the find will notify the Sites and Monuments Record as soon as possible (if that has not already happened), so that the site where the find was made can be investigated by archaeologists if necessary. A list of Sites and Monuments Records is included in the Code of Practice.



Iron Age bronze mirror, silver brooch and pottery from Shillington, Bedfordshire.

What if I do not report a find of Treasure?

The penalty for not reporting a find that you believe or there is good evidence for believing to be Treasure, without a reasonable excuse, is imprisonment for up to three months, a fine of up to £5,000 (level 5), or both. You will not be breaking the law if you do not report a find because you did not at first recognise that it may be Treasure, but you should report it once you realise this.

What happens if the find is not Treasure?

If the find is not Treasure, the museum curator or archaeological body will inform the Coroner who may then decide that the find should be returned to you without the holding of an inquest.

5

97mm