

TITLE 19 - CUSTOMS DUTIES**CHAPTER 14 - CONVENTION ON CULTURAL PROPERTY****§ 2601. Definitions**

For purposes of this chapter—

- (1) The term “agreement” includes any amendment to, or extension of, any agreement under this chapter that enters into force with respect to the United States.
- (2) The term “archaeological or ethnological material of the State Party” means—
 - (A) any object of archaeological interest;
 - (B) any object of ethnological interest; or
 - (C) any fragment or part of any object referred to in subparagraph (A) or (B);
 which was first discovered within, and is subject to export control by, the State Party. For purposes of this paragraph—
 - (i) no object may be considered to be an object of archaeological interest unless such object—
 - (I) is of cultural significance;
 - (II) is at least two hundred and fifty years old; and
 - (III) was normally discovered as a result of scientific excavation, clandestine or accidental digging, or exploration on land or under water; and
 - (ii) no object may be considered to be an object of ethnological interest unless such object is—
 - (I) the product of a tribal or nonindustrial society, and
 - (II) important to the cultural heritage of a people because of its distinctive characteristics, comparative rarity, or its contribution to the knowledge of the origins, development, or history of that people.
- (3) The term “Committee” means the Cultural Property Advisory Committee established under section 2605 of this title.
- (4) The term “consignee” means a consignee as defined in section 1483¹ of this title.
- (5) The term “Convention” means the Convention on the means of prohibiting and preventing the illicit import, export, and transfer of ownership of cultural property adopted by the General Conference of the United Nations Educational, Scientific, and Cultural Organization at its sixteenth session.
- (6) The term “cultural property” includes articles described in article 1(a) through (k) of the Convention whether or not any such article is specifically designated as such by any State Party for the purposes of such article.
- (7) The term “designated archaeological or ethnological material” means any archaeological or ethnological material of the State Party which—
 - (A) is—
 - (i) covered by an agreement under this chapter that enters into force with respect to the United States, or
 - (ii) subject to emergency action under section 2603 of this title, and
 - (B) is listed by regulation under section 2604 of this title.
- (8) The term “Secretary” means the Secretary of the Treasury or his delegate.
- (9) The term “State Party” means any nation which has ratified, accepted, or acceded to the Convention.
- (10) The term “United States” includes the several States, the District of Columbia, and any territory or area the foreign relations for which the United States is responsible.
- (11) The term “United States citizen” means—
 - (A) any individual who is a citizen or national of the United States;

NB: This unofficial compilation of the U.S. Code is current as of Jan. 4, 2012 (see <http://www.law.cornell.edu/uscode/uscpri.html>).

(B) any corporation, partnership, association, or other legal entity organized or existing under the laws of the United States or any State; or

(C) any department, agency, or entity of the Federal Government or of any government of any State.

Footnotes

¹ See References in Text note below.

(Pub. L. 97–446, title III, § 302, Jan. 12, 1983, 96 Stat. 2351.)

References in Text

Section 1483 of this title, referred to in par. (4), was repealed by Pub. L. 97–446, title II, § 201(c), Jan. 12, 1983, 96 Stat. 2349. Prior to repeal, section 1483 read: “For the purposes of this subtitle—

“(1) All merchandise imported into the United States shall be held to be the property of the person to whom the same is consigned; and the holder of a bill of lading or the holder of an air waybill duly indorsed by the consignee therein named, or, in the case of a bill of lading if consigned to order, by the consignor, shall be deemed the consignee thereof; except that this section shall not limit in any way the rights of the consignor, as prescribed by article 12 of the Warsaw Convention (49 Stat. 3017). The underwriters of abandoned merchandise and the salvors of merchandise saved from a wreck at sea or on or along a coast of the United States may be regarded as the consignees.

“(2) A person making entry of merchandise under the provisions of subdivision (h) or (i) of section 1484 of this title (relating to entry on carrier’s certificate and on duplicate bill of lading, respectively) shall be deemed the sole consignee thereof.”

Codification

Section 2605 of this title, referred to in par. (3), was in original “section 206” and was translated as section 2605 of this title, which is section 306 of Pub. L. 97–446, as the probable intent of Congress.

Effective Date

Section 315 of title III of Pub. L. 97–446 provided that:

“(a) In General.—This title [enacting this chapter] shall take effect on the ninetieth day after the date of the enactment of this Act [Jan. 12, 1983] or on any date which the President shall prescribe and publish in the Federal Register, if such date is—

“(1) before such ninetieth day and after such date of enactment; and

“(2) after the initial membership of the Committee is appointed.

“(b) Exception.—Notwithstanding subsection (a), the members of the Committee may be appointed in the manner provided for in section 306 [2605 of this title] at any time after the date of the enactment of this Act [Jan. 12, 1983].”

Short Title

Section 301 of title III of Pub. L. 97–446 provided that: “This title [enacting this chapter] may be cited as the ‘Convention on Cultural Property Implementation Act’.”