

OFFICIAL TRANSLATION

LAW N° 28567

LAW AMENDING ARTICLES 226° AND 228°
OF THE CRIMINAL CODE ABOUT CRIMES
AGAINST CULTURAL PROPERTY

Nº 3498-07

“El Peruano”

Legal Provisions

Lima, July 02, 2005

(...)

LAW Nº 28567

PRESIDENT OF THE REPUBLIC

WHEREAS

THE CONGRESS OF THE REPUBLIC has passed the following law:

**LAW AMENDING ARTICLES 226° AND 228° OF
THE CRIMINAL CODE ABOUT CRIMES AGAINST CULTURAL PROPERTY**

Single article.- It amends Articles 226° and 228° of the Criminal Code.

Be amended Articles 226° and 228° of the Criminal Code approved by Legislative Decree Nº 635°, which are read as follows:

“Article 226°.- Attacks on archeological monuments

The person, who settles, plunders or explores, excavates or moves pre-Hispanic archeological monuments without authorization, regardless of the relation of right in rem he holds over the land where it is placed, provided that he knows the asset's cultural heritage character shall be restrained with imprisonment of not less than three years or more than six years and one hundred twenty to three hundred sixty-five fine-days.

Article 228°.- Illegal extraction of cultural assets

The person, who destroys, alters, takes out from the country or market assets of the pre-Hispanic cultural heritage or fails to return them in accordance with the authorization granted, shall be restrained with imprisonment of not less than three years or more than eight years and one hundred eighty to three hundred sixty-five fine-days.

If the agent is a government employee or official with responsibility for the assets, the penalty shall be not less than three years or more than six years and one hundred twenty to three hundred sixty-five fine-days.”

Let it be notified to the President of the Republic to be enacted.

Lima, this 09th day of June, 2005

Antero FLORES-ARAOZ E.
Chairman, Congress of the Republic

Natale AMPRIMO PLA
First Vice-President, Congress of the Republic

TO THE CONSTITUTIONAL PRESIDENT OF THE REPUBLIC

THEREFORE:

Let it be published and enforced.

Given in the Government House, Lima, this 01st day of July, 2005

Alejandro TOLEDO
Constitutional President of the Republic

Carlos FERRERO
Chairman, Council of Ministers

11933
(...)

Round seal: *El Peruano* Official Gazette - Newspaper and Periodicals Library

“Year of the citizens’ duties” - The undersigned, Certifying Officer of *El Peruano* Official Gazette, does hereby certify that the foregoing is a true copy of the Legal Provision: Law N° 28567, pages N° 295748 to 295749 published on July 02, 2005, edition N.L.N: 9146 - Lima, December 11, 2007 - (seal and signature) Maria APAESTEGUI SILVA - Certifying Officer - *El Peruano* Official Gazette - “EDITORIA PERU”

MINISTRY OF FOREIGN AFFAIRS - OFFICE OF CONSULAR AFFAIRS - AUTHENTICATION N° 127364 - The preceding signature of Maria APAESTEGUI SILVA is hereby authenticated without judging the content of the document. - Lima, December 11, 2007 - (seal and signature) Julia Adela MOREANO DE DUEÑAS - Department of Authentications - Office of Consular Formalities - Round seal: Republic of Peru - Ministry of Foreign Affairs - Office of Consular Formalities - Authentications - (raised seal)

Translator’s Note: Only a partial translation of the document attached hereto has been done.