

NCMD Policy No 10 Issue 3 Search Agreements

Regional Variations

Search Agreement forms on subsequent pages are for England & Wales and for Scotland, it should be noted that within the UK and the Crown Dependencies there are Regional Variations in the Law with regard to Metal Detecting. I.e. Differences between England, Wales, Scotland, Northern Ireland, Isle of Man, and the Channel Isles. It is your responsibility to check and know any variations, or different laws pertaining to Metal Detecting in the region where you are detecting, whether you use NCMD search agreements or not.

1. If an agreement is signed by a Tenant Farmer on behalf of the Landowner, the Landowner must be aware of this agreement.
2. Remember, in England and Wales, the Landowner has a lawful right to everything that you find except for potential Treasure. The NCMD suggest that anything with a value of over £500 be shared on a 50/50 basis, note that this is guidance; you and the landowner must agree to a value and split that is acceptable to you both.
3. Treasure Rewards. Potential Treasure belongs to the Crown and, in England and Wales, must be declared to the Local Coroner direct or via the FLO within 14 days of realising it is potential Treasure. See Treasure Act on the NCMD website. In Scotland, all historical finds and Treasure items belong to the Crown and must be reported to the Treasure Trove Unit within one month. If the Crown does not disclaim the find they will offer a reward, we recommend that any reward be divided 50/50 between landowner and finder or equally between all interested parties.
4. Check with the farmer if there are any restrictions on his land such as SSSI's, Agri-environment schemes or scheduled monuments; in which case the conditions must be adhered to, or the area avoided as is relevant. To violate any such restrictions could be a criminal offence.
5. Do keep to the area the landowner/farmer has agreed to; having a map of the area is essential. Always clarify any conditions such as crop rotation at certain times of the year or whether you can go on to newly planted crops.
6. Recording of Finds in England and Wales: Confirm that the landowner is happy for you to record your finds with the Portable Antiquities Scheme (PAS), you should agree with the landowner that you can use either a six-figure grid reference, what 3 words, or just the parish. This is the landowner's choice, (Except potential Treasure, then it must be six-figure grid references.).
7. Fill in all details so you both know what is going on, and other people know you are entitled to be there. Always carry your NCMD card, it shows that you are insured. Be polite; you are an ambassador for our hobby.
8. Our code of conduct should be adhered to at all times.

Print off copies of the relevant form below so all parties have a copy.

Search Agreement Form: England & Wales

I being the owner of the land known as
..... situated at

Give permission forNCMD No..... of
Address.....to metal detect on my property,
from (date) until (date) Note: Permission may be withdrawn at any time.

Provided that:

1. The Detectorist(s) shall hold a current NCMD membership card showing their details and the details of their £10,000,000 Public Liability Insurance cover.
2. The detectorist(s) shall always observe and adhere to the Code of Conduct as set out by the NCMD.
3. The detectorist(s) shall strictly observe and adhere to any guidelines or special conditions and area boundaries which may be set out by the owner / occupier below, these may vary from time to time.
4. In England, all parties must abide by the terms and conditions with respect to metal detecting access and reporting of finds specified in of any Agri-environment schemes.

Ownership and reporting of finds:

1. Non-Treasure items are historically the property of the landowner; however, they or their value shall be split as stated below. Findspots of non-Treasure items should only be reported on the PAS system to the accuracy stated below.
2. Items classed as potential Treasure must be reported, with accurate findspots, to the coroner within 14 days. If finds are disclaimed by the Crown, or a reward is paid, it shall be split as stated below.

The Finder may keep all finds not owned or claimed by the Crown; however, for any finds kept with a value of over
£....., % of the value or reward (if claimed by the Crown) will be paid to the landowner.

The detectorist(s) shall / shall not be able to record non-Treasure finds with the Portable Antiquities Scheme (PAS) to an accuracy of (grid reference or Parish) .

Special conditions and boundaries,

.....
.....

SignedLandowner Date..... phone No.....

SignedOccupier Date..... phone No.....

SignedDetectorist Date..... phone No.....

Search Agreement Form: Scotland

I being the owner of the land known as
..... situated at

Give permission forNCMD No..... of
Address.....to metal detect on my property,
from (date) until (date) Note: Permission may be withdrawn at any time.

Provided that:

1. The Detectorist(s) shall hold a current NCMD membership card showing their details and the details of their £10,000,000 Public Liability Insurance cover.
2. The detectorist(s) shall always observe and adhere to the Code of Conduct as set out by the NCMD.
3. The detectorist(s) shall strictly observe and adhere to any guidelines or special conditions and area boundaries which may be set out by the owner / occupier below, these may vary from time to time.

Ownership and reporting of finds:

1. All found Portable Antiquities and any Treasure items fall under the Treasure Trove system and are subject to claim by the Crown.
2. Findspots must be reported as accurately as possible.
3. The Finder may keep all finds disclaimed by the Crown.

If Claimed by the Crown, % of any *ex-gratia* payment will be paid to the landowner.

Special conditions and boundaries,

.....
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SignedLandowner Date.....phone No.....

SignedOccupier Date.....phone No.....

SignedDetectorist Date.....phone No.....