

THIS DEED is made the 12th day of January Two Thousand and twelve BETWEEN THE SECRETARY OF STATE FOR DEFENCE (hereinafter called "the Secretary of State") of the one part and THE MARITIME HERITAGE FOUNDATION (hereinafter called "the Company") of the other part.

WHEREAS:

- (a) HMS VICTORY is known to have been lost in 1744 and the wreck was discovered in February Two thousand and eight by the US deep-sea exploration company ODYSSEY MARINE EXPLORATION in the English Channel.
- (b) It is believed that forty one brass cannon are dispersed on the surface of the wreck site.
- (c) The Company is a Charitable Trust whose objects are inter alia to locate, excavate, recover, raise, restore and/or preserve ship wrecks for the education and benefit of the Nation.
- (d) The said vessel and all that is in or connected with her (other than perhaps some personal property) belong to the Crown.
- (e) To enable the Company to carry out the said objects the Secretary of State is desirous that the said vessel and the equipment found with her should be held by the Company upon charitable trust.

NOW THIS DEED WITNESSETH:

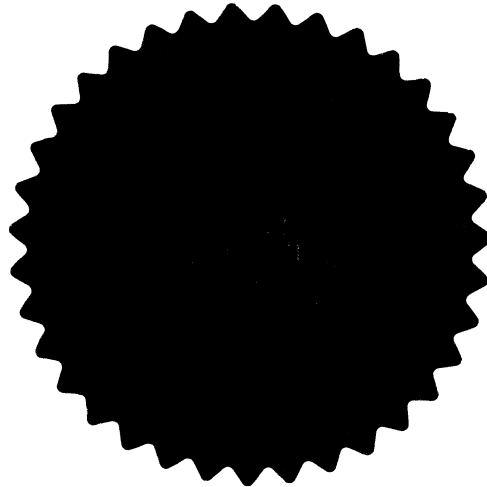
- 1) The Secretary of State hereby transfers to the Company:
 - (a) every part of the said vessel; and
 - (b) all that is connected with her which is situated in the immediate vicinity of where she is lying (save insofar of personal property not belonging to the Crown)upon trust for the education and benefit of the Nation.
- 2) The Company shall not have the power, and the Company hereby agrees not to disturb, remove from the seabed, sell, charge, lease, give or otherwise dispose of anything hereby transferred without the express consent of the Secretary of State, provided that such consent shall not be unreasonably withheld.
- 3) An Advisory Group shall be established, shall be chaired by a representative of the Ministry of Defence and shall include a representative from English Heritage and a representative from the National Museum of the Royal Navy. The Department of Culture Media and Sport may send an observer.
- 4) The Advisory Group shall provide advice to the Company as well the Secretary of State on the acceptability of any actions proposed by the Company in respect of anything hereby transferred. The Advisory Group will specifically be required to advise on the extent to which the actions are consistent with the archaeological principles set out in Annex A to the UNESCO Convention on the Protection of the Underwater Cultural Heritage.

- 3) An Advisory Group shall be established, shall be chaired by a representative of the Ministry of Defence and shall include a representative from English Heritage and a representative from the National Museum of the Royal Navy. The Department of Culture Media and Sport may send an observer.
- 4) The Advisory Group shall provide advice to the Company as well the Secretary of State on the acceptability of any actions proposed by the Company in respect of anything hereby transferred. The Advisory Group will specifically be required to advise on the extent to which the actions are consistent with the archaeological principles set out in Annex A to the UNESCO Convention on the Protection of the Underwater Cultural Heritage.

IN WITNESS whereof the parties hereto have caused their Corporate Seal and Common Seal respectively to be hereunto affixed the day and year first above written.

THE CORPORATE SEAL OF THE)
 SECRETARY OF STATE FOR DEFENCE)
 hereunto affixed is hereby authenticated by:)

U S Sawford
 DE&S Hd Commercial
 Commands & Centre



THE COMMON SEAL of THE)
 MARITIME HERITAGE FOUNDATION)
 Was hereunto affixed in the presence of:)

Chairman *Lingfield*

THE RT HON THE LORD LINGFIELD DL

Treasurer *Nigel Branson JP*
 NIGEL BRANSON JP.

