

Restrictions on Proprietary in Preserving the Interest of Cultural Assets in Property Law from a Comparative Perspective

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To protect cultural interest in property, it is necessary to restrict proprietary, because owners of cultural properties do not always protect their property even though protection tends to be expected.

Various laws restrict proprietary to protect cultural interest and some restrictions result in cultural interest being protected even though it is not clear whether protection of cultural interest is the aim.

For methodical protection of cultural interests, it is essential to examine their characteristics and their mutual relationships. Restrictions can be classified into 3 categories, special law for culture, intellectual property law and general property law.

This article analyzes the characteristics of restrictions on proprietary in the general property law, which are used to protect cultural interest in the property or which can be used to protect cultural interest in the property by examining French law, the U.S. law and Japanese law from a comparative perspective.