

CHAPTER 260.**COINS.****ARRANGEMENT OF SECTIONS.****SECTION.**

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CHAPTER 260.**COINS.**

33 of 1927. **An Ordinance to Regulate the Importation, Exportation and Circulation of Coins and Notes.**

[16TH DECEMBER, 1927.]

Short title.

1. This Ordinance may be cited as the Coins Ordinance, and shall apply to the Colony and the Protectorate.

**Interpreta-
tion.**

2. In this Ordinance unless the context otherwise requires—
“banker” means any corporation carrying on the business of bankers or financial agents;
“moneychanger” means a person who carries on the business of money-changing;
“coin” includes notes issued by a Government or by a banker;
“Colony” includes the Protectorate.

**Power to
prohibit
importation
and exporta-
tion of coin.**

3. (1) Subject to the approval of a Secretary of State, the Governor in Council may by Order—
(a) prohibit the importation into the Colony of such coins, whether legal tender within the Colony or not, as are in such Order specified;

(b) prohibit the exportation from the Colony of such coins, being legal tender within the Colony, as are in such Order specified; and

(c) exempt any country or state from the operation of any Order prohibiting the import into or export from the Colony of such coins as are in such Order specified.

(2) The Governor in Council may by Order prohibit the circulation in the Colony of such foreign coins, not being legal tender within the Colony, as are in such Order specified.

4. (1) Any person, who, in contravention of any Order made in pursuance of the last preceding section, imports or exports or attempts to import or export any coins in such Order specified to the number of twenty or upwards, shall be liable on summary conviction to a fine not exceeding one hundred pounds.

Offences
and penalties.

(2) Any coins imported or exported or attempted to be imported or exported in contravention of such Order may be forfeited.

(3) In any case in which it has been proved to the satisfaction of a Court that coin has been exported in contravention of any such Order, the Court, in addition to the fine authorised by this section, may impose a further penalty not exceeding the amount or value of the coins so found to have been exported.

(4) This section shall not apply to any coin imported or exported with the permission in writing of the Minister. Any such permission shall specify the terms on which such coin may be imported or exported, as the case may be.

(5) Any person importing or exporting coin in contravention of the terms of such permission shall be liable on summary conviction to a fine not exceeding one hundred pounds; and any coin so imported or exported may be forfeited. The provision contained in sub-section (3) of this section shall apply in the case of any coin exported in contravention of the terms of any such permission.

(6) Any person, who, in contravention of any Order issued in pursuance of section 3 of this Ordinance, circulates or attempts to circulate any coin in such Order specified, shall be liable on summary conviction to a fine not exceeding five pounds; and the coin may be forfeited.

(7) For the purposes of this section a person shall not be deemed to circulate coin who gives it to a banker or money changer in exchange for other coin.

Forfeiture of prohibited coin.

5. Any coin, the circulation of which in the Colony is for the time being prohibited by any such Order as aforesaid, which is found within the Colony otherwise than in the possession of a banker or moneychanger, after the expiration of thirty days from the publication in the *Gazette* of such Order, may be forfeited, and may be seized without warrant by any constable, and detained pending adjudication.

Search warrants.

6. A magistrate, if satisfied by sworn information in writing that there is good cause to believe that any coin which has been imported or is in the act of being imported or exported, in contravention of any such Order, is likely to be found in any place, may by warrant under his hand direct any constable named or specified therein to enter such place and search the same and all persons therein, and seize all coins found therein the import or export of which is for the time being prohibited, and may detain the same pending adjudication.

Arrest without a warrant.

7. Any person found offending against this Ordinance may be arrested by any constable without a warrant.

Declaration of forfeiture.

8. Forfeitures of coin may be declared under this Ordinance—

(a) by the Supreme Court upon information filed by the Attorney General;

(b) by the convicting Court in all cases where a person is convicted of an offence against this Ordinance in respect of such coin;

(c) by a magistrate where no person is convicted and the number of coins does not exceed one hundred.

Burden of proof.

9. In any prosecution for an offence, and in any proceeding for the forfeiture of any coins under this Ordinance, any coins in respect of which such prosecution or proceeding has been instituted shall be deemed to be coins of the kind specified in the charge, information, complaint, or application for such forfeiture, unless the contrary is proved.