

PROJET DE LOI

ENTITLED

The Coinage (Restrictions on Melting or Breaking) (Guernsey) Law, 1969 *

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. It has been prepared for the Guernsey Law website and is believed to be accurate and up to date, but it is not authoritative and has no legal effect. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.

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* Ordres en Conseil Vol. XXII, p. 253; as amended by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989 (Ordres en Conseil Vol. XXXI, p. 278); the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (No. XXXIII of 2003, Recueil d'Ordonnances Tome XXIX, p. 406); the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016 (No. IX of 2016).

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ARRANGEMENT OF SECTIONS

1. Restrictions on melting or breaking up of metal coins.
2. Citation.

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THE STATES, in pursuance of their Resolution of the twenty-fourth day of September, nineteen hundred and sixty-nine, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Bailiwick of Guernsey.

Restrictions on melting or breaking up of metal coins.

1. (1) No person shall, except under the authority of a licence granted by the States [Policy & Resources Committee], melt down or break up any metal coin which is for the time being current in the United Kingdom or which, having been current there, has at any time after the passing of the Decimal Currency Act 1969 ceased to be so.

(2) Any person who contravenes the provisions of subsection (1) of this section shall be guilty of an offence and liable, on conviction, to a fine not exceeding [level 4 on the uniform scale] or to imprisonment for a term not exceeding two years or both such fine and such term or imprisonment.

(3) If any condition attached to a licence granted under the provisions of subsection (1) of this section is contravened or not complied with, the person to whom the licence was granted shall be guilty of an offence and liable, on conviction, to a fine not exceeding [level 4 on the uniform scale]:

Provided that where a person is charged with an offence under this subsection it shall be a defence to prove that the contravention or non-compliance occurred without his consent or connivance and that he exercised all due diligence to prevent it.

(4) The Court by or before which any person is convicted of an offence under this section may order the articles in respect of which the offence was committed to be forfeited to Her Majesty.

(5) Where an offence under this section committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity, he as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

NOTES

In section 1,

the words in square brackets in subsection (1) were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 10(a), with effect from 1st May, 2016;¹

the words and figures in square brackets in subsection (2) and subsection (3) were substituted by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989, section 2(2), with effect from 1st July, 1989.

The functions, rights and liabilities of the Policy Council and of its Minister or Deputy Minister arising under or by virtue of this Law were transferred to and vested in, respectively, the Policy & Resources Committee and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 10(a), with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.²

Citation.

2. This Law may be cited as the Coinage (Restrictions on Melting or Breaking) (Guernsey) Law, 1969.

NOTE

The Law received Royal Sanction on 22nd October, 1969 and was registered on the Records of the Island of Guernsey and came into force on 25th November, 1969.

¹ These words were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 1(a), with effect from 6th May, 2004.

² The functions, rights and liabilities of the Policy Council and its Minister arising under or by virtue of this Law were previously transferred to and vested in them, respectively, from the Advisory and Finance Committee and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 1(a), with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance.