

ORDER IN COUNCIL **XXIII**

Ratifying a Projet de Loi entitled

1950

"Currency Offences (Guernsey) Law, 1950".

(Registered on the Records of the Island of Guernsey on
the 25th day of November, 1950.)



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1950.

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 25th day of November 1950, before Sir Ambrose James Sherwill, C.B.E., M.C., Bailiff; present: Osmond Priaulx Gallienne, Esquire, Ernest de Garis, Esquire, O.B.E., Sir John Leale, Arthur Falla, Walter John Sarre, Esquires, Richard Henry Johns, Esquire, O.B.E., William Robert Freaque Clark, Walter John Gavey, Ernest Francis Lainé, Bertram Bartlett, Esquires, and Donald Carey Brock, Esquire, C.B.E., Jurats.

The Bailiff having this day placed before the Court an Order of His Majesty in Council dated the 9th day of October, 1950, ratifying a *Projet de Loi* entitled "Currency Offences (Guernsey) Law, 1950",—the Court, after the reading of the said Order in Council and after having heard his Majesty's Procureur thereon, ordered that the said Order in Council be registered on the records of this Island and that an extract of this present Act, together with a copy of the said Order in Council, be sent by His Majesty's Greffier to the Clerk of the Court of Alderney and to the Seneschal of Sark for registration on the records of those Islands of which *Projet de Loi* the tenor followeth:—

At the Court at Buckingham Palace

The 9th day of October, 1950.

Present,

The King's Most Excellent Majesty.

LORD PRESIDENT
 VISCOUNT HALL
 MR. SECRETARY STRACHEY
 MR. ISAACS.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 28th day of September, 1950, in the words following, viz. :—

“ YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

‘ 1. That the States of Deliberation at a meeting held on the 26th day of July, 1950, approved a Bill or “ *Projet de Loi* ” entitled “ *Currency Offences (Guernsey) Law, 1950,* ” and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for your Royal Sanction thereto: 2. That the said Bill or “ *Projet de Loi* ” is in the words and figures set forth in the Schedule hereunto annexed. And most humbly praying that Your Majesty might be graciously pleased to grant Your Royal Sanction to the Bill or “ *Projet de Loi* ” of the States of Guernsey entitled “ *Currency Offences (Guernsey) Law, 1950,* ” and to order that the same shall have force of Law in the Bailiwick of the Island of Guernsey.’

“THE LORDS OF THE COMMITTEE, in obedience to Your Majesty’s said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi.”

HIS MAJESTY having taken the said Report into consideration is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Bailiwick of the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

AND the Lieutenant Governor and Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty’s Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

E. C. E. Leadbitter.

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

“Currency Offences (Guernsey) Law, 1950”.

ARRANGEMENT OF SECTIONS.

Section

1. Interpretation
2. Jurisdiction with regard to punishment.
3. Counterfeiting.
4. Gilding, silvering, filing and altering.
5. Impairing gold or silver coin and unlawful possession of filings, etc.
6. Defacing and uttering defaced coins.
7. Forgery of paper money.
8. Uttering forged paper money.
9. Possession of forged paper money.
10. Uttering, and possession with intent to utter, of false or counterfeit coin.
11. Buying or selling, etc., counterfeit coin or forged paper money for lower value than its denomination.
12. Importing and exporting counterfeit coin and forged paper money.
13. Prohibition of importation of imitation coin.
14. Making, possessing and selling medals resembling gold or silver coin.

15. Making, mending and having possession of coining implements.
16. Making or having in possession paper or implements for forging paper money.
17. Purchasing or having in possession certain paper before it has been duly stamped and issued.
18. Offences with regard to foreign currencies.
19. Provisions as to arrest, discovery and seizure.
20. Form of indictment and proof of intent.
21. Power to fine.
22. Breaking of coin suspected to be counterfeit.

PROJET DE LOI

ENTITLED

“Currency Offences (Guernsey) Law, 1950”.

THE STATES have approved the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in the Bailiwick of Guernsey:—

1. (1) In this Law, unless the context otherwise requires or it is otherwise specially provided, the following expressions have the meanings hereby respectively assigned to them, namely:—

Interpreta-
tion.

“Bailiwick” means the Bailiwick of Guernsey.

“British coin” means any coin lawfully current by virtue of any proclamation or otherwise in any part of His Majesty’s dominions, whether within the United Kingdom or elsewhere, and the expression “British money” means money expressed in the terms of any British coin.

“Currency” means any money, whether paper money or metallic money, lawfully current in any part of His Majesty’s dominions or in any foreign country.

“Currency notes” means any notes (by whatever name called) which are legal tender in the country in which they are issued.

“Foreign coin” means any coin lawfully current in any foreign country, and the expression “foreign money” means money expressed in the terms of any foreign coin.

“Magistrate” means—

In the Island of Guernsey, the Bailiff;
 In the Island of Alderney, the Chairman or a Jurat of the Court of Alderney;
 In the Island of Sark, the Seneschal or Deputy Seneschal of Sark.

(2) For the purposes of this Law—

- (a) the expression “Paper money” includes bank notes and currency notes;
- (b) the expression “copper coin” includes any coin of any metal or mixed metal not being a gold or silver coin;
- (c) the expression “silver coin” includes any coin which in any country is legal tender as silver coin;
- (d) a coin shall be deemed to be current if it has been coined in any of His Majesty’s Mints, or is lawfully current by virtue of the royal prerogative or of enacted or customary law or of any Proclamation, or otherwise, in any part of His Majesty’s dominions, or is lawfully current in any foreign country; and any paper money shall be deemed to be current if it is thus lawfully current in any part of His Majesty’s dominions or is lawfully current in any foreign country;
- (e) “die” includes any plate, type, tool, or implement whatsoever, and also any part of any die, plate, type, tool or implement, and any stamp or impression thereof or any part of such stamp or impression;

- (f) a coin apparently intended to resemble or pass for any current coin shall be deemed to resemble that current coin;
- (g) a current coin which has been gilt, silvered, washed, coloured or cased over or in any manner altered so as to resemble any current coin of a higher denomination shall be deemed to be a false or counterfeit coin resembling a current gold or silver coin;
- (h) a thing shall be deemed to be in the possession of any person, if he himself has it in his personal custody or possession, and also if he knowingly and wilfully has it in the actual custody or possession of some other person, or in some building or place, whether open or enclosed, or in some ship, boat or other vessel, or aircraft, (whether belonging to or occupied by himself or not), and whether he has it for his own benefit or for that of any other person;
- (i) forgery includes the making of any false paper money in order that it may be used as genuine, or with intent to defraud or deceive, and also includes the fraudulent alteration of any paper money.

2. WHEREAS the Royal Court of the Island of Guernsey has jurisdiction to try and convict persons charged with any offence within the meaning of the expression "fausse-monnaie" but the punishment of persons so convicted has hitherto been reserved to His Majesty:

Jurisdiction
with regard
to punish-
ment.

ON AND AFTER the date on which this Law comes into operation, the said Royal Court shall have jurisdiction as well to punish as to try and convict persons charged as hereinbefore in this section mentioned.

3. (1) Every person who falsely makes or counterfeits any coin resembling any current coin shall be guilty of an offence and on conviction thereof liable—

Counterfeit-
ing.

- (a) in a case where the coin resembles a current gold or silver coin, to imprisonment for life, or for any lesser term as the Court may direct; and
- (b) in a case where the coin resembles a current copper coin, to imprisonment for a term not exceeding seven years.

(2) The offence of falsely making or counterfeiting a coin shall be deemed to be complete although the coin made or counterfeited is not in a fit state to be uttered or the making or counterfeiting thereof has not been finished or perfected.

Gilding, sil-
vering, filing
and altering.

4. Every person who—

- (a) gilds or silvers, or, with any wash or materials capable of producing the colour or appearance of gold or silver or by any means whatsoever, washes, cases over or colours—
 - (i) any coin whatsoever resembling any current gold or silver coin; or
 - (ii) any current copper coin with intent to make it resemble or pass for any current gold or silver coin; or
 - (iii) any piece of silver or copper or of coarse gold or coarse silver or of any metal or mixture of metals, being of a fit size and figure to be coined, with intent that it shall be coined into false and counterfeit coin resembling any current gold or silver coin; or
- (b) gilds, or, with any wash or materials capable of producing the colour or appearance of gold or by any means whatsoever, washes, cases over or colours, any current silver coin with intent to make it resemble or pass for any current gold coin; or
- (c) files or in any manner alters—
 - (i) any current silver coin with intent to make it resemble or pass for any current gold coin; or

- (ii) any current copper coin with intent to make it resemble or pass for any current gold or silver coin;

shall be guilty of an offence and on conviction thereof liable to imprisonment for life or for any lesser term as the Court may direct.

5. (1) Every person who impairs, diminishes or lightens any current gold or silver coin with intent that the coin so impaired, diminished or lightened may pass for a current gold or silver coin shall be guilty of an offence and on conviction thereof liable to imprisonment for a term not exceeding fourteen years.

Impairing gold or silver coin and unlawful possession of filings, etc.

(2) Every person who unlawfully has in his possession any filing or clipping, or any gold or silver bullion, or any gold or silver in dust, solution or otherwise, which has been produced or obtained by impairing, diminishing or lightening any current gold or silver coin, knowing that it has been so produced or obtained shall be guilty of an offence and on conviction thereof liable to imprisonment for a term not exceeding seven years.

6. (1) Every person who defaces any current coin by stamping thereon any names or words, whether the coin is or is not thereby diminished or lightened, shall be guilty of an offence and on conviction thereof liable to imprisonment for a term not exceeding one year.

Defacing and uttering defaced coins.

(2) A tender of payment in money made in any coin which has been defaced as aforesaid shall not be legal tender.

(3) Every person who tenders, utters or puts off any coin which has been defaced as aforesaid shall be guilty of an offence and on conviction thereof liable to a fine not exceeding forty shillings.

7. (1) Forgery of any paper money lawfully current in any part of His Majesty's dominions or in any foreign country, if committed with intent to defraud, shall be an offence and punishable with imprisonment for life or for any lesser term as the Court may direct.

Forgery of paper money.

(2) The offence of forgery of paper money shall be deemed to be complete although the paper money as forged is incomplete and is not in a fit state to be uttered.

Uttering
forged paper
money.

8. (1) A person utters forged paper money who, knowing the same to be forged, and with intent to defraud or deceive, uses, offers, delivers, disposes of, tenders in payment or in exchange, exposes for sale or exchange, exchanges, or puts off the said forged paper money.

(2) Every person who utters any forged paper money shall be guilty of an offence and on conviction thereof liable to imprisonment for life or for any lesser term as the Court may direct.

(3) It is immaterial where the forged paper money was forged.

Possession of
forged paper
money.

9. Every person shall be guilty of an offence and on conviction thereof liable to imprisonment for a term not exceeding fourteen years, who, without lawful authority or excuse (the proof whereof shall lie on the person accused), purchases or receives from any person, or has in his custody or possession, any forged paper money, knowing it to be forged.

Uttering and
possession
with intent to
utter, of false
or counter-
feit coin.

10. (1) Every person who tenders, utters, or puts off any false or counterfeit coin resembling any current coin knowing it to be false or counterfeit, shall be guilty of an offence and on conviction thereof liable to imprisonment for a term not exceeding one year.

(2) Every person who tenders, utters or puts off any false or counterfeit coin resembling any current gold or silver coin, knowing it to be false or counterfeit, and—

(a) at the time of the tendering, uttering or putting off has in his possession, besides that coin, any other such false or counterfeit coin; or

(b) on the day of the tendering, uttering or putting off, or within the period of ten days

next following tenders, utters or puts off any other such false or counterfeit coin, knowing it to be false or counterfeit; shall be guilty of an offence and on conviction thereof liable to imprisonment for a term not exceeding two years.

(3) Every person who has in his possession three or more false or counterfeit coins resembling any current gold or silver coin, knowing them to be false or counterfeit and with intent to utter or put off the said coins or any of them, shall be guilty of an offence and on conviction thereof liable to imprisonment for a term not exceeding five years.

(4) Every person who has in his possession three or more false or counterfeit coins resembling any current copper coin, knowing them to be false or counterfeit, and with intent to utter or put off the said coins or any of them, shall be guilty of an offence and on conviction thereof liable to imprisonment for a term not exceeding one year.

(5) Every person who commits—

(a) any offence under sub-section (1) of this section in respect of a coin resembling a current gold or silver coin; or

(b) any offence under sub-section (2) or sub-section (3) of this section;

having been previously convicted of any such offence or of any offence under section three, section four, section five, section seven, sub-section (2) of section eight, section nine, sub-section (1) of section eleven, sub-sections (1), (2) or (3) of section fifteen or section sixteen of this Law, shall, on conviction thereof be liable to imprisonment for life or for any lesser term as the Court may direct.

(6) Every person who, with intent to defraud, tenders, utters or puts off as or for any current gold or silver coin—

(a) any coin not being that current coin and being of less value than that current coin;
or

- (b) any medal or piece of metal or mixed metals resembling in size, figure and colour that current coin and being of less value than that current coin;

shall be guilty of an offence and on conviction thereof liable to imprisonment for a term not exceeding one year.

(7) The offence of tendering, uttering or putting off a false or counterfeit coin shall be deemed to be complete although the coin is not in a fit state to be uttered or the counterfeiting thereof has not been finished or perfected.

Buying or selling, etc. counterfeit coin or forged paper money for lower value than its denominations.

11. (1) Every person who, without lawful authority or excuse (the proof whereof shall lie on the person accused), buys, sells, receives, pays or puts off, or offers to buy, sell, receive, pay or put off, any false or counterfeit coin resembling any current coin, or any forged paper money resembling any current paper money, at or for a lower rate or value than the false or counterfeit coin or forged paper money imports, or apparently is intended to import, shall be guilty of an offence, and on conviction thereof liable—

- (a) in a case where the coin resembles a current gold or silver coin, or the paper money resembles any current paper money, to imprisonment for life or for any lesser term as the Court may direct; and
- (b) in a case where the coin resembles a current copper coin, to imprisonment for a term not exceeding seven years.

(2) In any indictment for any offence under this section in respect of a coin resembling a current gold or silver coin, or in respect of any paper money resembling any current paper money, it shall be sufficient to allege that the person accused bought, sold, received, paid or put off the coin or paper money or offered to buy, sell, receive, pay or put off the coin or paper money, at or for a lower rate of value than it imports or was apparently intended to import, without

alleging at or for what rate, price or value it was bought, sold, received, paid or put off, or offered to be bought, sold, received, paid or put off.

(3) An offence under this section shall be deemed to be complete although the coin or paper money bought, sold, received, paid or put off, or offered to be bought, sold, received, paid or put off is not in a fit state to be uttered, or the counterfeiting or forging thereof has not been finished or perfected.

12. Every person who, without lawful authority or excuse (the proof whereof shall lie on the person accused)—

Importing and exporting counterfeit coin and forged paper money.

(a) imports or receives into any part of the Bailiwick any false or counterfeit coin resembling any current gold, silver, or copper coin, knowing it to be false or counterfeit, or any forged paper money, knowing it to be forged; or

(b) exports from any part of the Bailiwick, or puts on board any ship, boat or other vessel, or aircraft for the purpose of being so exported, any false or counterfeit coin resembling any current coin, knowing it to be false or counterfeit, or any forged paper money, knowing it to be forged;

shall be guilty of an offence and on conviction thereof liable to imprisonment for a term not exceeding fourteen years.

13. (1) Save with such permission as is referred to in the proviso to this paragraph it shall be an offence to import or bring into the Bailiwick any imitation coin as defined in sub-section (2) of this section, and upon the conviction of any person in respect of an offence against this sub-section, that person shall be liable to a fine not exceeding One hundred pounds and to the forfeiture of the imitation coin in respect of which the offence was committed:

Prohibition of importation of imitation coin.

PROVIDED that the States Supervisor may grant permission for the importation

into any part of the Bailiwick of any imitation coin in any particular instance if he is satisfied that such importation is for the purposes of knowledge or art, or any exhibition or collection, or for any lawful purpose, and that the imitation coin is not likely to circulate as current coin, or to be otherwise used for deceiving the public.

(2) Each of the following articles, if not a British or foreign coin, shall be an imitation coin within the meaning of this Law :

- (a) any piece of gold, silver, copper or bronze, or of metal or mixed metal, purporting to be a British or foreign coin or a token for British or foreign money, or bearing any word or device which indicates or may reasonably be taken to indicate that the holder thereof is entitled to demand any value in British or foreign money denoted thereon; and
- (b) any medal, cast, coin, or other like thing made wholly or partially of metal or any metallic combination, and resembling in size, figure and colour any British or foreign coin, or having thereon a device resembling any device on any British or foreign coin, or being so formed that it can, by gilding, silvering, colouring, washing, or other like process, be so dealt with as to resemble any British or foreign coin.

Making, possessing and selling medals resembling gold or silver coin.

14. Every person who, without lawful authority or excuse (the proof whereof shall lie on the person accused) makes, sells, offers for sale or has in his possession for sale, any medal, cast, coin, or other like thing made wholly or partially of metal or any mixture of metals, and either—

- (a) resembling in size, figure and colour any current gold or silver coin; or

- (b) having thereon a device resembling a device on any such current coin; or
- (c) being so formed that it can, by gilding, silvering, colouring, washing or other like process be so dealt with as to resemble any such current coin;

shall be guilty of an offence and on conviction thereof liable to imprisonment for a term not exceeding one year.

15. (1) Every person who, without lawful authority or excuse (the proof whereof shall lie on the person accused), knowingly makes or mends, or begins or proceeds to make or mend, or buys or sells, or has in his possession, any puncheon, counter-puncheon, matrix, stamp, die, pattern or mould in or upon which there is made or impressed, or which will make or impress, or which is adapted and intended to make or impress, the figure, stamp or apparent resemblance of both or either of the sides of any current gold or silver coin, or any part of both or either of those sides, shall be guilty of an offence and on conviction thereof liable to imprisonment for life or for any lesser term as the Court may direct.

Making, mending and having possession of coining implements.

(2) Every person who, without lawful authority or excuse (the proof whereof shall lie on the person accused), makes or mends, or begins or proceeds to make or mend, or buys or sells, or has in his possession—

- (a) any edger, edging or other tool, collar, instrument or engine adapted and intended for the marking of coin round the edges with letters, grainings or other marks or figures apparently resembling those on the edges of any current gold or silver coin, knowing it to be so adapted and intended as aforesaid; or
- (b) any press for coinage, or any cutting engine for cutting by force of a screw or of any other contrivance round blanks out of

gold, silver or other metal or mixture of metals, or any other machine, knowing the press to be a press for coinage or knowing the engine or machine to have been used or to be intended to be used for the false making or counterfeiting of any current gold or silver coin;

shall be guilty of an offence and on conviction thereof liable to imprisonment for life or for any lesser term as the Court may direct.

(3) Every person who, without lawful authority or excuse (the proof whereof shall lie on the person accused), knowingly makes or mends, or begins or proceeds to make or mend, or buys or sells, or has in his possession, any instrument, tool or engine adapted and intended for the counterfeiting of any current copper coin, shall be guilty of an offence and on conviction thereof liable to imprisonment for a term not exceeding seven years.

Making or having in possession paper or implements for forging paper money.

16. Every person shall be guilty of an offence and on conviction thereof shall be liable to imprisonment for a term not exceeding seven years, who, without lawful authority or excuse (the proof whereof shall lie on the person accused)—

- (a) makes, uses, or knowingly has in his custody or possession any paper intended to resemble and pass as special paper such as is provided and used for making any paper money;
- (b) makes, uses, or knowingly has in his custody or possession, any frame, mould, or instrument for making such paper, or for producing in or on such paper any words, figures, letters, marks, lines or devices peculiar to and used in or on any such paper;
- (c) engraves or in anywise makes upon any plate, wood, stone or other material, any words, figures, letters, marks, lines or devices, the print whereof resembles in whole

or in part any words, figures, letters, marks, lines or devices peculiar to and used in or on any paper money;

- (d) uses or knowingly has in his custody or possession any plate, wood, stone or other materials, upon which any such words, figures, letters, marks, lines, or devices have been engraved or in anywise made as aforesaid;
- (e) uses or knowingly has in his custody or possession any paper upon which any such words, figures, letters, marks, lines or devices have been printed or in anywise made as aforesaid.

17. Every person shall be guilty of an offence and on conviction thereof liable to imprisonment for a term not exceeding two years, who, without lawful authority or excuse (the proof whereof shall lie on the person accused) purchases, receives, or knowingly has in his custody or possession—

Purchasing or having in possession certain paper before it has been duly stamped and issued.

- (a) any special paper provided and used for making paper money;
- (b) any die peculiarly used in the manufacture of any such paper.

18. Acts which would be offences under this Law if committed with regard to any currency of any part of His Majesty's dominions shall if committed with regard to the currency of any foreign country be offences under this Law.

Offences with regard to foreign currencies.

19. (1) Any person found committing an offence against this Law, other than an offence against section 14 thereof, may be immediately apprehended by any person and shall be produced with all convenient speed before the appropriate Court in the Bailiwick, to be dealt with according to law.

Provisions as to arrest, discovery and seizure.

(2) If any person finds in any place whatsoever, or in the possession of any person without lawful authority or excuse—

- (a) any false or counterfeit coin resembling any current coin (in this section referred to as a “ counterfeit coin ”); or
- (b) any instrument, tool or engine whatsoever adapted and intended for the counterfeiting of any such coin (in this section referred to as a “ counterfeiting instrument ”); or
- (c) any filings or clippings, or any gold or silver bullion, or any gold or silver in dust solution or otherwise, which have been produced or obtained by diminishing or lightening any current gold or silver coin (in this section referred to as “ counterfeiting material ”);

he shall seize the counterfeit coin or counterfeiting instrument or material and forthwith place it, or cause it to be placed, in the possession of the Police.

(3) If a Magistrate is satisfied by information on oath that there is reasonable ground for supposing that—

- (a) any person has been concerned in counterfeiting any current coin, or has in his possession any counterfeit coin or any counterfeiting instrument or any other machine used or intended to be used for making or counterfeiting any current coin (in this section referred to as a “ counterfeiting machine ”) or any counterfeiting material; or
- (b) any person has in his custody or possession without lawful authority or excuse—
 - (i) any implement for making paper used for paper money or for making any imitation of such paper; or
 - (ii) any material having thereon any words, forms, devices, or characters capable of producing or intended to produce the impression of any paper money; or

- (iii) any forged paper money or die; or
- (iv) any machinery, implement, utensil, or material used or intended to be used for the forgery of any paper money;

the said Magistrate may grant a search warrant to any one or more police officers named in the warrant, and a warrant so granted shall authorise the officer or officers named therein—

to enter and search any building, place, ship, boat, vessel or aircraft whatsoever belonging to or under the control of the suspected person, either in the day or in the night; and

to seize and secure, for the purpose of being produced in evidence and otherwise dealt with according to law, any of the things mentioned in paragraphs (a) and (b) of this subsection.

(4) Any thing or things seized in virtue of this section, or otherwise, shall, if it is or they are not required to be produced in evidence, or, if so required, after being so produced, be delivered up to the Lieutenant Governor or to any person authorised by him to receive it or them.

20. (1) In any criminal process in respect of an offence against this Law with reference to any paper money or die, it shall be sufficient to refer to the paper money or die by any name or designation by which it is usually known, or by its purport, without setting out any copy or facsimile of the whole or any part of the paper money or die.

Form of indictment and proof of intent.

(2) Where an intent to defraud or an intent to deceive is one of the constituent elements of an offence punishable under this Law or by virtue of any other enacted Law or customary law relating to forgery or any kindred offence for the time being in force in the Bailiwick, it shall not be necessary to allege or to prove

an intent to defraud or deceive any particular person; and it shall be sufficient to prove that the defendant did the act charged with intent to defraud or to deceive, as the case may require.

Power to fine. 21. On conviction of an offence punishable under this Law, the Court instead of, or in addition to, any other punishment which may be lawfully imposed may fine the offender.

Breaking of coin suspected to be counterfeited.

22. (1) If any person suspects any coin tendered to him as current gold or silver coin to have been diminished otherwise than by reasonable wearing, or to be counterfeit, it shall be lawful for him to break the coin.

(2) If any coin when so broken appears to have been diminished otherwise than as aforesaid, or to be counterfeit, the person tendering it shall bear the loss thereof, but if it is of due weight and appears to be lawful coin, the person breaking it shall receive it at the rate it was coined for.

(3) If any dispute arises whether any coin so broken has been diminished otherwise than as aforesaid, or is counterfeit, it shall be heard and finally determined in a summary manner—

- (a) before the Petty Debts Court in the Island of Guernsey, if the dispute arises in that Island;
- (b) before the Chairman and two Jurats of the Court of Alderney, if the dispute arises in that Island; or
- (c) before the Seneschal or Deputy Seneschal of the Island of Sark, if the dispute arises in that Island.

JAMES E. LE PAGE,

H.M. Greffier.