

ENACTMENT NO. V OF 1908.

AN ENACTMENT TO REGULATE THE IMPORT AND EXPORT OF
COIN INTO AND FROM THE STATE.

[12th December, 1908.]

J. F. OWEN,
Acting British Resident.

It is hereby enacted by His Highness the Sultan in Council, as follows:—

1. This Enactment may be cited as “The Coin Import and Export Enactment 1908” and shall come into force on the 1st day of January, 1909. Short title and commencement.

2. For the purposes of this Enactment the term “banker” shall mean any corporation carrying on the business of bankers or financial agents in the State and the term “money-changer” shall mean a person who carries on the business of money-changing as his chief business. Interpretation, “banker,” “money-changer.”

3.—(i) The Resident may, by public notification, prohibit:— Prohibition of importation, exportation or circulation.

(a) the importation into the State of such coins, whether legal tender within the state or not, as are in such notification specified;

(b) the exportation from the State of such coins, being legal tender within the state, as are in such notification specified;

(c) the circulation in the State of such foreign coins, not being legal tender within the State, as are in such notification specified.

(ii) The Resident may, by public notification, exempt any country or state from the operation of any notification prohibiting the importation into or exportation from the State of such coins as are in such notification specified.

4. The Resident may, by public notification, rescind or vary any notification published under the last preceding section. Rescinding or varying notification.

5.—(i) If any person shall in contravention of any notification published under section 3 or section 4 import or export or attempt to import or export any coin in such notification specified to the amount of \$5 in nominal value Penalty for importing or exporting prohibited coin.

or upwards in the case of copper or bronze coin, or of \$25 in nominal value or upwards in the case of silver coin, he shall be liable, on conviction before the Court of a Magistrate to a fine not exceeding \$1,000 and any coin so imported or exported or attempted to be imported or exported in contravention of any such notification shall be forfeited.

(ii) 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 notification as aforesaid it may impose in addition to the fine authorized by this section a further penalty not exceeding the amount or value of the coin so found to have been exported.

(iii) The provisions of this section shall not apply to any coin imported or exported under a licence in writing under the hand of the Resident or of any officer appointed in that behalf by the Resident. Every such licence shall specify the terms on which such coin may be imported or exported, as the case may be.

(iv) Any person importing or exporting coin under the provisions of any such licence shall be bound to comply with the terms in such licence specified, and any person importing or exporting coin in contravention of the terms of such licence shall be liable, on conviction before the Court of a Magistrate to a fine not exceeding \$1,000 and any coin imported or exported in contravention of the terms of such licence shall be forfeited. The provision contained in subsection (ii) shall apply in the case of any coin exported in contravention of the terms of any such licence.

(v) If any person shall in contravention of any such notification circulate or attempt to circulate any coin in such notification specified, he shall be liable on summary conviction to a fine not exceeding \$25, and the coin shall be forfeited.

Penalty for circulating prohibited coin.

(vi) For the purposes of this section a person is not deemed to circulate coin who gives such coin to a banker or money-changer in exchange for other coin or for notes.

6. Any coin the circulation of which in the State is prohibited by any such notification as aforesaid found within the State otherwise than in the possession of a banker or money-changer after the expiration of 30 days from the publication of such notification may be forfeited, and may be seized without warrant by any Police Officer and detained pending the declaration of a Magistrate as to its forfeiture.

Forfeiture of prohibited coin.

7. Any Magistrate, if satisfied by sworn information in writing that there is good reason to believe that any coin which has been imported or is in the act of being imported or exported in contravention of any such notification as

Search warrant.

aforesaid is likely to be found in any place to the nominal value of \$50 or upwards, may by warrant under his hand direct any public officer named or specified therein to enter such place and search the same and seize all coin or coins found therein the importation or exportation of which is, for the time being, prohibited as aforesaid and detain the same pending the declaration of a Magistrate as to its forfeiture.

8. Any person found offending against the provisions of this Enactment may be arrested by any Police Officer without warrant. Police may arrest without warrant.

9. Forfeitures under this Enactment may be declared by a Magistrate. Declaration of forfeitures.

10. The convicting Magistrate may direct any fine, or any portion of a fine, imposed and levied under this Enactment to be paid to the informer or informers. Reward to informer.
