

To be amended under Ord. 297933, Revised
by sec. 12 of Ord. 1497937

CHAPTER 50.

GOVERNMENT CURRENCY NOTES.

[No. XVI of 1915.]

[11th September, 1915.]

1. This Ordinance may be cited as the Government Short title.
Currency Notes Ordinance.

2. In this Ordinance the expression " coin " or " cur- Interpretation.
rent coin " means coin which for the time being is legal
tender in the colony.

NOTE ISSUE.

3.—(1) A board of currency commissioners (hereinafter Currency
in this Ordinance described as " the Commissioners ") Commission-
shall be established for the purpose of this Ordinance, and sioners.
shall consist of the persons for the time being lawfully dis-
charging the duties of Colonial Secretary and Colonial
Treasurer of the colony, and one other officer of the colony
nominated by the Governor.

(2) The Commissioners shall have an office in George-
town and may employ the agents, officers, and persons
from time to time authorised by the Governor.

(3) Any act of the Commissioners may be signified
in writing under their hands.

4.—(1) Subject to the provisions of this Ordinance, the Issue of
Commissioners may from time to time provide and issue notes.
and re-issue in exchange, either for current gold or silver
coin or for notes previously issued under this Ordinance,
notes herein described as " currency notes."

(2) A currency note shall be a promise on the part of
the Government of the colony to pay to the bearer on
demand the amount named therein, and the amount
required for payment shall be a charge on the moneys and
securities in the hands of the Commissioners and on the
general revenue of the colony.

(3) If a sum is required to meet any currency note
and those moneys and any moneys voted by the Legislative
Council for that purpose are insufficient to meet it, the

sum shall, on the demand of the Commissioners and pending the next meeting of the Council, forthwith be issued as an advance under the order of the Governor out of the general revenue in priority to all other charges, except those charged thereon by any Ordinance passed before the commencement of this Ordinance and for the time being payable.

(4) The holder of a currency note shall be entitled to obtain on demand during office hours, at the office of the Commissioners, payment in current coin (which may be either gold or silver at the option of the Commissioner) of the amount expressed in the note.

Value and
form of
notes.

5.—(1) Currency notes may be for the following denominations, namely, one dollar and two dollars, and of any higher values approved by the Secretary of State, and the amount of notes of each denomination shall be those fixed by the Commissioners with the approval of the Secretary of State.

(2) Currency notes shall be in the form, and of the design, and shall be printed from the plate and on the paper and be authenticated in the manner (whether by the signatures of the Commissioners for the time being, or facsimiles of those signatures, or otherwise), approved by the Secretary of State.

(3) The plate shall be prepared and kept, and the notes printed, issued, and cancelled, under any regulations made by the Secretary of State for the purpose of preventing fraud and improper use.

Legal tender.

6. A currency note shall be a legal tender in the colony of the amount expressed therein, except a tender by the Commissioners at their office.

Application
of coin
received for
notes :

7.—(1) Subject as hereinafter mentioned, the coin received in exchange for currency notes shall form the note guarantee fund, and be held in the colony by the Commissioners for meeting the payment of the notes, and shall not be applied for any other purpose.

(2) Of the note guarantee fund a portion (in this Ordinance referred to as the coin portion) not less than the fixed proportion hereinafter mentioned shall be in coin and shall be kept in the custody of the Commissioners, but the balance may be invested as hereinafter mentioned, and the proportion so invested is in this Ordinance referred to as the investment portion.

(3) The coin portion shall not be less than the fixed proportion hereinafter specified of the notes for the time being in circulation, and if necessary the securities forming the investment portion shall be sold so as to prevent the coin portion falling below the fixed proportion :

Provided that if the deficiency of the coin portion below the fixed proportion does not exceed one-fourth of that proportion, the sale of securities may, with the consent of the Governor, be temporarily postponed for a period not exceeding three months, but until the coin portion amounts to that fixed proportion, no further investment of securities shall be made, and the whole income of the investment portion shall be carried to and form part of the coin portion. Proviso.

(4) The fixed proportion shall in the first instance be one half, but if the Governor satisfies the Secretary of State that, having regard to the amount of notes always outstanding, the fixed proportion may be diminished without danger to the convertibility of the currency notes and obtains the authority of the Secretary of State for the purpose, he may by proclamation fix another proportion.

(5) The proclamation may be revoked, without prejudice to the issue of a new proclamation.

INVESTMENT AND DEPRECIATION FUND.

8.—(1) The investment portion of the note guarantee fund may be invested in any securities of the Government of any part of his Majesty's dominions or other securities approved by the Secretary of State, but any sum invested in securities of the Government of British Guiana shall not exceed one-fifth of the total amount invested hereunder. Investment.

(2) The investments shall be made in the names of the officers or persons directed by the Secretary of State, and the investments shall be from time to time varied and the securities sold in accordance with regulations approved by him.

(3) The securities shall be applicable for the payment of currency notes and for no other purpose.

(4) The income derived from the securities shall be applied—

(a) in paying the expenses of and incidental to the execution of this Ordinance; and

(b) in the payment of a sum, equal to one per centum of the cost price of the securities, to a depreciation fund; and,

(c) subject to the other provisions of this Ordinance, as part of the ordinary revenue of the colony.

Depreciation
fund.

9.—(1) A separate account shall be kept of the depreciation fund and the income of that fund invested by way of accumulation so as to form part of it and the fund shall be applied from time to time as the Commissioners direct to meet any losses by depreciation of the investments of the note guarantee fund, but save as aforesaid, or as is otherwise expressly provided by this Ordinance, the depreciation fund shall form part of the investment portion of the note guarantee fund and the provisions of this Ordinance shall apply thereto accordingly.

(2) When the Governor satisfies the Secretary of State that the depreciation fund is not less than ten per centum of the invested portion of the note guarantee fund, and is of such an amount that it is unnecessary further to increase the depreciation fund, he may order the annual appropriation of the one per centum aforesaid to be discontinued and the annual income of the depreciation fund to be applied in aid of the general revenue of the colony, and may order that to be done for any temporary period (and either in whole or in part) specified in the order.

ACCOUNTS AND EXPENSES.

Accounts.

10.—(1) The accounts of all transactions of the Commissioners under this Ordinance shall be audited in every year by the Auditor or by the persons and in accordance with the regulations directed by the Secretary of State.

(2) An abstract of the accounts shall, after audit, forthwith be published in the Gazette.

(3) If it appears upon audit that the market value of the securities forming the investment portion of the note guarantee fund (including the depreciation fund) is less than the amount of coin taken for investment from the note guarantee fund, the amount of the deficiency shall forthwith be paid into the note guarantee fund by order of the Governor out of the general revenue of the colony.

(4) The Commissioners shall on the tenth day of each month, or, if that day is a Sunday or other day upon which business is by law suspended, on the next day, make up and forthwith publish in the Gazette an abstract showing—

(a) the whole amount of currency notes in circulation on that day and the average amount in circulation during the month ending on that day;

- (b) the amount of the coin portion of the note guarantee fund on that day, and the average amount during the month ending on that day; and
- (c) the nominal value of, price paid for, and the latest known market price of, the securities forming the investment portion of the note guarantee fund.

(5) The amount of notes in circulation at a particular date shall be the total nominal amount of notes issued to the public by the Commissioners prior to that date, after deducting the total nominal amount of notes received by the Commissioners prior to that date.

(6) The abstracts, from time to time and at least once a quarter shall be verified, in accordance with regulations made by the Governor, by a board of survey appointed by the Governor.

11. All expenses of and incidental to the execution of this Ordinance, so far as not defrayed out of the income of the note guarantee fund, shall be paid out of any sums voted by the Legislative Council. Expenses.

PENALTIES.

12. Any Commissioner who issues, or is a party to issuing, any currency note otherwise than in accordance with this Ordinance, or authorises or is a party to authorising, the application of any portion of the note guarantee fund to any purposes not permitted by this Ordinance, or otherwise acts contrary to his duty under this Ordinance, shall be guilty of a misdemeanour. Offences by
the Commis-
sioners.

13.—(1) Anyone who with intent to defraud forges or alters any currency note, or, knowing any note purporting to be a currency note to be forged or altered, utters it, shall on conviction be liable to imprisonment with or without hard labour for any period not exceeding ten years. Forgery.

(2) Anyone who without lawful authority or excuse, the proof whereof shall lie on him, receives from anyone else, or has in his possession, any forged or altered note purporting to be a currency note, knowing it to be forged or altered, or any unfinished or incomplete note purporting to be a currency note issued by the Commissioners, shall be liable on conviction to imprisonment with or without hard labour for any period not exceeding five years.

Possession
of materials
for forging
notes.

14.—(1) Anyone who without lawful authority or excuse, the proof whereof shall lie upon him,—

(a) makes or uses or sells or exposes for sale, or knowingly has in his possession,—

(i) any instrument for the making of paper with any words, device, or distinction, peculiar to and appearing in the substance of the paper used for currency notes; or

(ii) any paper with those words, or that device or distinction; or,

(b) by any art or contrivance, causes those words, or that device or distinction, or any words, device, or distinction intended to resemble and pass for them, to appear visible in the substance of any paper,

shall on conviction be liable to imprisonment, with or without hard labour, for any period not exceeding five years.

(2) Anyone who without lawful authority or excuse, the proof whereof shall lie upon him,—

(a) engraves, or in any wise makes upon any plate whatsoever or upon any material, any note purporting to be a currency note or a part of a currency note, or any name, word, number, figure, device, character, or ornament, resembling or apparently intended to resemble any signature to a currency note; or

(b) uses that plate or material, or any other instrument or device, for the making or printing of any currency note; or

(c) knowingly has in his possession that plate, material, instrument, or device; or

(d) knowingly utters or has in his possession any paper upon which an impression of any matter aforesaid is made or printed,

shall be liable on conviction to imprisonment with or without hard labour, for a period not exceeding five years.

Regulations.

15. The Secretary of State may from time to time make, alter, or rescind, all necessary regulations for giving effect to the provisions of this Ordinance, and those regulations after they have been published in the Gazette shall have the force of law.