

British Guiana.

REGULATIONS MADE BY THE GOVERNOR UNDER THE PROVISIONS OF THE EMERGENCY POWERS (DEFENCE) ACT, 1939, AS EXTENDED TO THE COLONY BY THE EMERGENCY POWERS (COLONIAL DEFENCE) ORDER IN COUNCIL, 1939.

1. These Regulations may be cited as the Defence (Finance) Regulations, 1939, and shall come into operation on the date of their publication in the *Gazette*. Short title and commencement.

2. In these Regulations the following words and expressions shall have the meanings hereby assigned to them:— Interpretation.

“authorised dealer” means a person authorised in writing by the Governor to buy or sell foreign currency and gold and to export raw gold;

“gold” means refined gold and does not include raw gold;

“raw gold” means gold in the condition in which it is won in the Colony by milling, dredging or washing operations.

Buying and selling of foreign currency prohibited except by authorised dealers.

3. No person in the Colony, other than an authorised dealer, shall, except with the permission of the Governor, buy or borrow any foreign currency or any gold from, or lend or sell any foreign currency or any gold to, any person not being an authorised dealer.

Penalty.

Any person who contravenes any of the provisions of this regulation shall be liable, on summary conviction, to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding twelve months or to both such fine and imprisonment and the buying, borrowing, lending or selling, as the case may be, shall be void.

Travellers Permitted to take British currency to value of one hundred and twenty dollars.

4. Any person leaving the Colony (hereinafter referred to as "a traveller") may take with him, or any other person travelling with such traveller may take for him, British bank notes, local currency notes, postal orders or gold or silver coins of an aggregate value not exceeding one hundred and twenty dollars :

Provided that, if satisfied that a larger amount is necessary for defraying the traveller's reasonable travelling or other personal expenses, the Colonial Treasurer may, by certificate under his hand, authorise such traveller to take with him such amount as may be specified in the certificate.

Taking or sending of currency from Colony prohibited.

5. (1) Save as prescribed in the preceding regulation no person shall, except with the permission of the Governor,—

(a) take or send out of the Colony any bank note, currency note, postal order, gold, silver, gold or silver coins, security or any foreign currency or transfer any security from the Colony elsewhere ; or

(b) draw or negotiate any bill of exchange or promissory note, transfer any security or acknowledge any debt, so that a right (whether actual or contingent) to receive a payment in this Colony is created or transferred as consideration—

(i) for receiving a payment, or acquiring property, outside the Colony ; or

(ii) for a right (whether actual or contingent) to receive a payment, or to acquire property outside the Colony ; or make any payment as such consideration.

(2) The Governor may, by notice in the *Gazette*, exempt any country from the operation of any, or all, of the provisions of this regulation.

Penalty.

(3) Any person who contravenes any of the provisions of this regulation shall be liable, on summary conviction, to a fine not exceeding five hundred dollars or to imprisonment for a term not

exceeding twelve months or to both such fine and imprisonment and the transaction shall be void.

6. The preceding regulation shall not restrict the doing of anything, within the scope of his authority, by an authorised dealer and shall not restrict the doing of anything by any person which is certified by the Colonial Treasurer to be necessary for the purpose of—

Powers of authorised dealer etc.

- (a) meeting the reasonable requirements of a trade or business carried on in the Colony; or
- (b) performing a contract made before these Regulations came into force.

7. (1) Prior to his departure from the Colony every traveller or in the case of a minor, one of his parents, or his guardian or other person for the time being exercising control or authority over him, shall—

Restriction on taking or sending foreign currency from the Colony.

- (a) declare and produce to the Colonial Treasurer, or other person appointed in writing by the Colonial Treasurer in that behalf, any foreign currency in his possession; and
- (b) surrender the whole or any part of such foreign currency, in exchange for British currency, as the Colonial Treasurer may direct. The balance, if any, of the said currency not required to be surrendered by the traveller may be taken from the Colony by, or on behalf of, such traveller.

(2) The Colonial Treasurer, or any police officer or any officer of customs may search the person, or the baggage or belongings of, any traveller and may seize and detain any foreign currency which the said traveller has not been authorised to take from the Colony :

Provided that the person of a female shall only be searched by a female appointed by the Commissioner of Police for that purpose.

8. Any goods, packet, parcel, bale, case, box, bag or any other form of package whatsoever, intended to be taken or despatched from the Colony and suspected to contain foreign currency may be opened and searched by any officer of customs or any police officer and if found to contain any foreign currency such currency, not being foreign currency permitted to be taken from the Colony under regulation 7(1) (b) hereof shall, and the package and its other contents may, be seized and forfeited to His Majesty.

Power to search parcels etc., being despatched from the Colony.

9. Nothing in the two regulations immediately preceding this regulation shall be taken to restrict the movement of foreign currency or foreign securities between persons resident within the Colony.

Movement of foreign currency within Colony not restricted.

10. Residents in the Colony who are, or who may become, entitled to sell gold or to procure the sale of gold shall cause such gold to be offered for sale to the Governor, or to a person designated by the Governor, at such price as may be determined by the Governor :

Residents in Colony entitled to sell gold must offer it for sale to the Governor.

Provided that there shall not be an obligation on any person to offer gold for sale if—

(a) he satisfies the Governor—

- (i) that all persons interested in the gold are not resident in the Colony ; or
- (ii) that the gold is required for the purpose of performing a contract made before the day on which these Regulations came into force ; or
- (iii) that the gold is held for the purpose of meeting the reasonable requirements of a trade or business carried on in the Colony otherwise than the dealing in gold ; or

(b) in respect of the gold he is exempted from these Regulations by the Governor.

Persons entering Colony to declare amount of foreign currency in their possession.

11. (1) Every person entering the Colony shall declare to an officer of customs the amount of foreign currency in his possession.

(2) In this regulation the expression "foreign currency in his possession" means the foreign currency actually on the ship which is within the power, or at the order or disposition, of a traveller.

Raw gold not to be exported except by authorised dealer.

12. Except with the permission of the Governor no raw gold shall be exported from the Colony by any person other than an authorised dealer.

General penalty.

13. Any person contravening any of the provisions of these Regulations for which no special penalty is prescribed or any person omitting to do anything which he is required to do by these Regulations shall, on summary conviction, be liable to a fine not exceeding two hundred and fifty dollars or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

Made this ninth day of September, 1939.

E. J. WADDINGTON,
Acting Governor.