

No. XXIV.

UNION of SOUTH AFRICA and BASUTOLAND (COINAGE)
PROCLAMATION, 1911.

At the Court at Windsor Castle, the 23rd day of January, 1911.

PRESENT,

The King's Most Excellent Majesty in Council.

The following Draft Proclamation was this day read at the Board and approved.

Almeric FitzRoy.

BY THE KING.

A PROCLAMATION

Applying certain Parts of the Coinage Act, 1870, as amended by Section 2 and the Schedule of the Coinage Act, 1891, with Modifications, to the Union of South Africa and to Basutoland.

Whereas by virtue of the Coinage Act, 1870, it is lawful for Us, by the advice of Our Privy Council, from time to time by proclamation to direct that the whole or any part of that Act shall apply to and be in force in any British possession with or without any modifications contained in the proclamation, and from time to time by proclamation to revoke any proclamation made under that Act:

And whereas part of the First Schedule to the Coinage Act, 1870, has by virtue of section two of the Coinage Act, 1891, been replaced by the Schedule to that Act:

And whereas by a Proclamation of Her late Majesty Queen Victoria, approved by Order in Council dated the 29th day of November, 1881, the whole of the Coinage Act, 1870, was applied to Her Majesty's Colonies of the Cape of Good Hope and Natal (which two Colonies are now Provinces of Our possession known as the Union of South Africa), and by a Proclamation of His late Majesty King Edward the Seventh made the 16th day of February, 1906, certain parts of the said Act, as amended by section two and the Schedule of the Coinage Act, 1891, were applied (as modified in the Proclamation) to His Majesty's Colony of the Transvaal (which Colony is now a Province of the Union of South Africa):

And whereas it is expedient that certain portions of the Coinage Act, 1870, as so amended, should, with modifications, apply to and be in force in the Union of South Africa and in Basutoland.

and that the said Proclamation of Her late Majesty Queen Victoria and the said Proclamation of His late Majesty King Edward the Seventh should be revoked :

Now therefore, in pursuance of the said Act as so amended, and of all other powers enabling Us in that behalf, We do hereby, by and with the advice of Our Privy Council, proclaim, direct, and ordain as follows :—

(1) Those parts of the Coinage Act, 1870, as amended by section two and the Schedule of the Coinage Act, 1891, which are set out in this Proclamation, shall, as herein modified, apply to and be in force in the Union of South Africa and in Basutoland.

(2) The said enactments, as modified and set out herein, shall come into force in the Union of South Africa and in Basutoland respectively at the date of the promulgation of this Proclamation in the Union or in Basutoland.

(3) The said enactments as so modified are the following:—

Section 1.—This Act may be cited as the Coinage Act, 1870.

Section 2.—In this Act—

The term “ the Mint ” means, except as expressly provided, His Majesty’s Royal Mint in England;

The term “ British possession ” means any colony, plantation, island, territory, or settlement within His Majesty’s dominions and not within the United Kingdom; and

The term “ person ” includes a body corporate.

Section 3.—All coins made at the Mint of the denominations mentioned in the First Schedule to this Act shall be of the weight and fineness specified in that schedule, and the standard trial plates shall be made accordingly.

If any coin of gold, silver, or bronze, but of any other denomination than that of the coins mentioned in the First Schedule to this Act, is hereafter coined at the Mint, such coin shall be of a weight and fineness bearing the same proportion to the weight and fineness specified in that schedule as the denomination of such coin bears to the denominations mentioned in that schedule :

Provided that in the making of coins a remedy (or variation from the standard weight and fineness specified in the said First Schedule) shall be allowed of an amount not exceeding the amount specified in that schedule.

Section 4.—A tender of payment of money, if made in coins which are British coins or Transvaal coins, and have not been called in by any proclamation made in pursuance of this Act, and have not become diminished in weight by wear or otherwise, so as to be of less weight than the current weight, that is to say, in the case of British coins, than the weight (if any) specified as the least current weight in the First Schedule to this Act, and in the case of Transvaal gold coins than the weight prescribed under Article 8 of a law of the late South African Republic known as Law No. 14 of 1891, or less than such weight as may

be declared by any proclamation made in pursuance of this Act, shall be a legal tender,—

In the case of gold coins, for a payment of any amount;

In the case of silver coins, for a payment of an amount not exceeding forty shillings, but for no greater amount;

In the case of bronze coins, for a payment of an amount not exceeding one shilling, but for no greater amount:

Provided that where any coin issued by the Mint has by proclamation, whether past or future, been declared to be current in some specified part only of His Majesty's dominions, nothing in this section shall make that coin current elsewhere, except so far as may be declared by a further proclamation of His Majesty.

Nothing in this Act shall prevent any paper currency which under any Act or otherwise is a legal tender from being a legal tender.

For the purpose of this Act the expression "British coins" means any coins which have been issued by the Mint in accordance with the provisions of this Act, and the expression "Transvaal coins" means any coins which were coined in the Mint established at Pretoria by the Government of the late South African Republic in accordance with the provisions of the said law of the said Republic.

Section 5.—No piece of gold, silver, copper, or bronze, or of any metal or mixed metal, of any value whatever, shall be made or issued, except by the Mint, as a coin or a token for money, or as purporting that the holder thereof is entitled to demand any value denoted thereon. Every person who acts in contravention of this section shall be liable on summary conviction to a penalty not exceeding twenty pounds.

Section 6.—Every contract, sale, payment, bill, note, instrument, and security for money, and every transaction, dealing, matter and thing whatever relating to money, or involving the payment of or the liability to pay any money, which is made, executed, or entered into, done or had, in the Union of South Africa or in Basutoland, shall be made, executed, entered into, done and had, according to the coins which are current and legal tender in pursuance of this Act, and not otherwise, unless the same be made, executed, entered into, done or had according to the currency of some other part of His Majesty's dominions or some foreign state.

Section 7.—Where any gold coin is below the current weight as provided by this Act, or where any coin is called in by any proclamation, every person may, by himself or others, cut, break, or deface any such coin tendered to him in payment, and the person tendering the same shall bear the loss.

If any coin cut, broken, or defaced in pursuance of this section is not below the current weight, or has not been called in by any proclamation, the person cutting, breaking, or defacing the same shall receive the same in payment according to its denomination.

Any dispute which may arise under this section may be determined by a summary proceeding.

Section 11.—It shall be lawful for His Majesty, with the advice of His Privy Council, from time to time by proclamation to do all or any of the following things, namely:—

- (1) To determine the dimension of and design for any coin:
- (2) To determine the denominations of coins to be coined at the Mint:
- (3) To diminish the amount of remedy allowed by the First Schedule to this Act in the case of any coin:
- (4) To determine the weight (not being less than the weight (if any) specified in the First Schedule to this Act) below which a coin, whether diminished in weight by wear or otherwise, is not to be a current or a legal tender:
- (5) To call in coins of any date or denomination, or any coins coined before the date in the proclamation mentioned:
- (6) To direct that any coins, other than gold, silver, or bronze, shall be current, and be a legal tender, for the payment of any amount not exceeding the amount specified in the proclamation, and not exceeding five shillings:
- (7) To direct that coins coined in any foreign country shall be current, and be a legal tender, at such rates, up to such amounts, and in such portion of His Majesty's dominions as may be specified in the proclamation; due regard being had in fixing those rates to the weight and fineness of such coins, as compared with the current British coins:
- (10) To regulate any matters relative to the coinage and the Mint within the present prerogative of the Crown which are not provided for by this Act:
- (11) To revoke or alter any proclamation previously made.

Every such proclamation shall come into operation on the date therein in that behalf mentioned, and shall have effect as if it were enacted in this Act.

Legal Proceedings.

Section 18.—Any summary proceeding under this Act may be taken, and any penalty under this Act may be recovered—

In any British possession, in the courts, and before such justices or magistrates, and in the manner in which the like proceedings and penalties may be taken and recovered by the law of such possession, or as near thereto as circumstances admit, or in such other courts, or before such other justices or magistrates, or in such other manner as any Act or Ordinance having the force of law in such possession may from time to time provide.

SCHEDULE TO COINAGE ACT, 1870, AS AMENDED BY SECTION TWO AND SCHEDULE OF THE COINAGE ACT, 1891.

First Schedule.

Denomination of Coin.	Standard Weight.		Least Current Weight.		Standard Fineness.	Remedy Allowance.		Millesimal Fineness.				
	Imperial Weight. Grains.	Metric Weight. Grams.	Imperial Weight. Grains.	Metric Weight. Grams.		Imperial Grains.	Weight per piece. Metric Grams.					
GOLD :												
Five pound ...	616·37239	39·94028	612·50000	39·68935	Eleven-twelfths fine gold, one-twelfth alloy ; or millesimal fineness 916·6.	1·00	0·06479	2				
Two pound ...	246·54895	15·97611	245·00000	15·87574								
Sovereign ...	123·27447	7·98805	122·50000	7·93787								
Half sovereign ...	61·63723	3·99402	61·12500	3·96083								
SILVER :												
Crown ...	436·36363	28·27590	—	—	Thirty-seven fortieths fine silver, three-fortieths alloy ; or millesimal fineness 925.	2·000	0·1296	4				
Double florin ...	349·09090	22·62072	—	—								
Half crown ...	218·18181	14·13795	—	—								
Florin ...	174·54545	11·31036	—	—								
Shilling ...	87·27272	5·65518	—	—								
Sixpence ...	43·63636	2·82759	—	—								
Groat or fourpence ...	29·09090	1·88506	—	—								
Threepence ...	21·81818	1·41379	—	—								
Twopence ...	14·54545	0·94253	—	—								
Penny ...	7·27272	0·47126	—	—								
BRONZE :												
Penny ...	145·83333	9·44984	—	—					Mixed metal, copper, tin, and zinc.	2·91666	0·18899	None.
Halfpenny ...	87·50000	5·66990	—	—								
Farthing ...	43·75000	2·83495	—	—								

(4) The said Proclamation of Her late Majesty Queen Victoria relating to Her Majesty's Colonies of the Cape of Good Hope and Natal, and the said Proclamation of His late Majesty King Edward the Seventh relating to His Majesty's Colony of the Transvaal, are hereby revoked as from the date of the promulgation of this Proclamation in the Union of South Africa.

(5) This Proclamation may be cited as the Union of South Africa and Basutoland (Coinage) Proclamation, 1911.

Given at Our Court at Windsor Castle, this Twenty-third day of January, in the year of our Lord one thousand nine hundred and eleven, and in the First year of Our Reign.

God Save the King.

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