

COINAGE BILL.

EXPLANATORY MEMORANDUM

By virtue of a Royal Proclamation issued under the Imperial Coinage Act, 1870 (dated 1st August, 1896, and published in the *New Zealand Gazette* of 25th March, 1897), and of a New Zealand Proclamation, issued under the Imperial Coinage Act, 1920 (dated 14th September, 1920, and published in the *New Zealand Gazette* of 16th September, 1920), the Imperial Coinage Acts, 1870 to 1920, are, with necessary modifications, in force in New Zealand.

The purpose of the present Bill is to replace the Imperial legislation by local legislation.

Marginal references are given to the corresponding provisions of the Imperial Acts, and also to those of the Coinage Act, 1909, passed by the Legislature of the Commonwealth of Australia.

The Bill will enable arrangements to be made either for the minting of New Zealand coins by the Royal Mint in London or, in the alternative, for the minting of such coins in New Zealand.

The law as to coinage offences is contained in the Crimes Act, 1908 (sections 313 to 327), and the Justices of the Peace Act, 1927 (sections 196 to 199). See *Reprint of Statutes*, Vol. II, pages 278-282, and 407-408.

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

House of Representatives,

8th November, 1933.

Right Hon. Mr. Coates.

COINAGE.

ANALYSIS.

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A BILL INTITULED

AN ACT to make Provision with respect to Currency, Coinage, and Legal Tender in New Zealand. Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Coinage Act, 1933, and shall come into force on a date to be fixed in that behalf by the Governor-General by Proclamation. Short Title and commencement.

2. In this Act, unless the context otherwise requires,— Interpretation.
Cf. 1909, No. 6,
s. 2 (Commonwealth of Aus.)

“British coins” means coins which have been issued in accordance with the laws of the United Kingdom, and which have not been withdrawn from circulation in the United Kingdom or been called in by a Proclamation under this Act:

No. 56—2.

“ New Zealand coins ” means coins which have been issued in accordance with this Act, or pursuant to section eight of the Finance Act, 1932-33 (No. 2), and which have not been called in by a Proclamation under this Act. 5

Standard weight and fineness of coins.

Cf. 1909, No. 6, s. 3 (Commonwealth of Aus.)

3. The standard weight and the standard fineness of the silver coins of the denominations mentioned in the Schedule to this Act shall be as specified in that Schedule, and the standard weight and the standard composition of bronze or cupro-nickel coins shall be as determined by Proclamation under this Act. 10

Minister of Finance may arrange for issue of silver and other coins.

Cf. 33 & 34 Vict., c. 10, s. 3 (Imp.) 1909, No. 6, s. 4 (Commonwealth of Aus.)

4. (1) The Minister of Finance may cause to be made and issued silver coins of the denominations specified in the Schedule to this Act, and bronze or cupro-nickel coins of such denominations as may from time to time be determined by a Proclamation under this Act. 15

(2) In the making of coins pursuant to this Act a remedy (or variation from the standard weight and fineness specified in the Schedule to this Act, or from the standard weight and composition determined by a Proclamation under this Act, as the case may be) shall be allowed of an amount not exceeding the amount of the remedy specified in the said Schedule or determined by such Proclamation. 20

(3) The cost of all coins made and issued as aforesaid (including freight, insurance, the cost of manufacture and all incidental expenses) shall be paid out of the Public Account without further appropriation than this section. 25

Legal tender.

Cf. 33 & 34 Vict., c. 10, s. 4 (Imp.) 1909, No. 6, s. 5 (Commonwealth of Aus.)

5. (1) Subject to the provisions of this section, a tender of payment of money, if made in British coins or New Zealand coins of current weight, shall be a legal tender— 30

(a) In the case of gold coins, for the payment of any amount : 35

(b) In the case of silver coins, for the payment of an amount not exceeding forty shillings :

(c) In the case of bronze or cupro-nickel coins, for the payment of an amount not exceeding one shilling. 40

(2) For the purposes of this section a coin shall be deemed to be not of current weight if it has become diminished in weight by wear or otherwise—

(a) If a British gold coin, so as to be of less weight than the weight specified as the least current weight of that coin in the law of the United Kingdom : 45

(b) If a New Zealand coin, so as to be of less weight than the weight (if any) determined as the least current weight of that coin by Proclamation under this Act.

5 (3) Nothing in this Act shall be construed as preventing any bank-notes which by virtue of a Proclamation under section two of the Banking Amendment Act, 1914, or otherwise, are a legal tender from being a legal tender.

See Reprint of Statutes, Vol. I, p. 458

10 (4) The Governor-General may at any time by Proclamation declare that British coins of any denomination or denominations specified therein (not being British gold coins) shall not be legal tender in New Zealand as from a date to be specified in the Proclamation in that

15 behalf (being not earlier than three months after the publication of such Proclamation in the *Gazette*).

6. (1) No piece of gold, silver, copper, bronze, or nickel, or of any metal or mixed metal, of any value whatever (other than a British coin or a New Zealand

20 coin) shall be made or issued as a coin or as a token for money or as purporting that the holder thereof is entitled to demand any monetary or other value denoted thereon :

Prohibition of other than official coins.
Cf. 33 & 34 Vict., c. 10, s. 5 (Imp.) 1909, No. 6, s. 6 (Commonwealth of Aus.)

25 Provided that the Minister of Finance may in his discretion and subject to such conditions (if any) as he thinks fit authorize the use of tokens purporting to entitle the holder thereof to demand goods or services, and may at any time revoke any authority so given.

30 (2) Every person who acts in contravention of this section shall be guilty of an offence, and shall be liable on summary conviction to a fine not exceeding *five* hundred pounds, or to imprisonment for a term not exceeding *five* years, or to both such fine and imprisonment.

35 7. 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,

40 or had, in New Zealand, shall be made, executed, entered into, done, and had according to the coins or notes which for the time being are current and are a legal tender in pursuance of this or of some other Act and not otherwise, unless the same be made, executed, entered

45 into, done, or had according to the currency of some other part of His Majesty's dominions, or of some foreign State.

Contracts, &c., to be made in currency.
Cf. 33 & 34 Vict., c. 10, s. 6 (Imp.) 1909, No. 6, s. 7 (Commonwealth of Aus.)

Power to regulate coinage by Proclamation.

Cf. 33 & 34 Vict., c. 10, s. 11 (Imp.) 1909, No. 6, s. 8 (Commonwealth of Aus.)

8. The Governor-General may from time to time, by Proclamation, do all or any of the following things, namely :—

- (a) Determine the dimensions and the designs of any New Zealand coins : 5
- (b) Diminish in the case of any such coins the amount of the remedy allowed by the Schedule to this Act, or by any Proclamation made under this Act :
- (c) Determine the denominations, weights, and composition of any bronze or cupro-nickel New Zealand coins, and the amount of the remedy to be allowed in the making thereof : 10
- (d) Determine the weight below which a New Zealand coin, whether diminished in weight by wear or otherwise, is not to be current : 15
- (e) Call in any coin of any date or denomination :
- (f) Revoke or alter any Proclamation previously issued under this Act.

Regulations.

Cf. 1909, No. 6, s. 11 (Commonwealth of Aus.)

9. The Governor-General may from time to time, by Order in Council, make regulations not inconsistent with this Act prescribing all matters and things which are necessary or convenient to be prescribed for giving effect to this Act, including (but not so as to limit the generality of the power conferred by this section) the submission of coins issued under this Act to trial of the pyx or similar test. 25

Proclamations and Orders in Council to be laid before Parliament.

10. All Proclamations and Orders in Council issued under this Act shall be laid before Parliament within one month after the issue thereof if Parliament is then in session, and if not, shall be laid before Parliament within one month after the commencement of the next ensuing session thereof. 30

Repeal.

11. Section eight of the Finance Act, 1932-33 (No. 2), is hereby repealed. 35

Application of Act to Cook Islands.

12. This Act shall extend to and be in force in the Cook Islands, and every reference herein to New Zealand shall include a reference to the Cook Islands accordingly.

SCHEDULE.

Schedule.

NEW ZEALAND COINS.

Denomination of Coin.	Standard Weight.		Standard Fineness.	Remedy Allowance.		
	Imperial Weight : Grains.	Metric Weight : Grammes.		Weight per Piece.		Mille- simal Fineness.
				Imperial Grains.	Metric Grammes.	
Silver—						
Crown ..	436·36363	28·27590	One-half fine silver, one- half alloy ; or mille- simal fine- ness 500	2·000	0·1296	} 5
Half-crown ..	218·18181	14·13795		1·216	0·0788	
Florin ..	174·54545	11·31036		0·997	0·0646	
Shilling ..	87·27272	5·65518		0·578	0·0375	
Sixpence ..	43·63636	2·82759		0·346	0·0224	
Threepence ..	21·81818	1·41379		0·212	0·0138	