



SUPPLEMENT No. 2
TO
THE SOVEREIGN BASE AREAS GAZETTE
No. 1518 of 10th November 2008
LEGISLATION

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CURRENCY (COUNTERFEITING) (AMENDMENT) ORDINANCE 2008

An Ordinance to amend the Currency (Counterfeiting) Ordinance 2006

J. H. GORDON
ADMINISTRATOR

29th October 2008.

BE it enacted by the Administrator of the Sovereign Base Areas of Akrotiri and Dhekelia as follows:—

1. Short Title

This Ordinance may be cited as the Currency (Counterfeiting) (Amendment) Ordinance 2008.

2. Interpretation

In this Ordinance—

“the principal Ordinance” means the Currency (Counterfeiting) Ordinance 2006(a).

3. Section 2 amended

Section 2 (Interpretation) of the principal Ordinance is amended as follows—

(a) by inserting the following in the appropriate alphabetical place—

““Regulation 2182/2004” means Council Regulation (EC) No 2182/2004(b) of 6 December 2004 concerning medals and tokens similar to euro coins.”; and

(b) by repealing the definition of “currency” and replacing it as follows—

““currency” means any note or coin which is legal tender whether in circulation or intended for circulation as legal tender including notes or coins which ceased to be legal tender but which may be

exchanged for legal tender.”.

4. Section 9 amended

Section 9 (Offence of issuing etc currency without licence) of the principal Ordinance is amended by re-numbering the text as subsection (1) and inserting the following new subsection (2)—

“(2) Subsection (1) does not apply to medals and tokens to which Regulation 2182/2004 applies.”.

5. Commencement

This Ordinance comes into force on the day it is published in the Gazette.

(SBA/AG/2/BK/370)

Notes

(a) Ordinance 13/06.

(b) Council Regulation (EC) No. 2182/2004 Official Journal of the EU 21.12.2004 L373/1.

EXPLANATORY NOTE

(This note does not form part of the Ordinance)

Introduction

1. This explanatory note relates to the Currency (Counterfeiting) (Amendment) Ordinance 2008 (“the Ordinance”). It has been prepared by the Office of the Attorney General and Legal Adviser in order to assist the reader of the Ordinance. It does not form part of the Ordinance.

2. The note should be read in conjunction with the Ordinance. It is not, and is not meant to be, a comprehensive description of the Ordinance. So when a section or part of a section does not seem to require any explanation or comment, none is given.

Particular points

3. The Ordinance makes two amendments to the Currency (Counterfeiting) Ordinance 2006 (“the 2006 Ordinance”). Section 3 amends the definition of “currency” in section 2 of the 2006 Ordinance so as to include notes and coins that are no longer legal tender but can be exchanged for legal tender. The definition of legal tender is such that the 2006 Ordinance applies to notes and coins issued by any State.

4. Section 4 amends section 9 of the 2006 Ordinance by excluding from its scope medals and tokens to which EC Regulation 2182/2004 applies. Section 9 creates an offence of issuing, importing or trading in any item which is intended to pass as currency. EC Regulation 2182/2004 of 6 December 2004 concerning medals and tokens similar to euro coins has effect in the Areas as a result of the European Community (Specified Measures) (Medals and Tokens similar to Euro coins) Order 2008 (PI 37/08).

5. This Ordinance and the European Community (Specified Measures) (Medals and Tokens similar to Euro coins) Order 2008 are intended broadly to replicate the effect of Republican Law 23(I)/2008 (the Currency (Counterfeiting and other related matters) (Amendment) Law 2008).