



**Isle of Man**

*Ellan Vannin*

**AT 8 of 1980**

# **COINAGE OFFENCES ACT 1980**





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## COINAGE OFFENCES ACT 1980

*Received Royal Assent:* 21 May 1980

*Passed:* 9 July 1980

*Commenced:* 9 September 1980

**AN ACT** to revise the law relating to coinage offences, and for connected purposes.

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### GENERAL NOTES

1. References to the Treasurer are to be construed in accordance with the *Treasury Act 1985* s 7.

### **1 Counterfeiting**

[P1936/16/1]

- (1) Every person who falsely makes or counterfeits any coin resembling any current coin shall be guilty of an offence and shall be liable, on conviction on information —
  - (a) in a case where the coin resembles a current platinum, gold, silver or cupro-nickel coin, to imprisonment for life; and
  - (b) in a case where the coin resembles a current bronze coin, to imprisonment for a term not exceeding 7 years.
- (2) The offence of falsely making or counterfeiting a coin shall be deemed to be complete although the coin made or counterfeited is not in a fit state to be uttered or the making or counterfeiting thereof has not been finished or perfected.

### **2 Gilding, silvering, filing and altering**

[P1936/16/2]

Every person who —

- (a) gilds or silvers, or, with any wash or materials capable of producing the colour or appearance of platinum, gold, silver or cupro-nickel or by any means whatsoever, washes, cases over or colours —

- (i) any coin whatsoever resembling any current platinum, gold, silver or cupro-nickel coin; or
  - (ii) any current bronze coin, with intent to make it resemble or pass for any current platinum, gold, silver or cupro-nickel coin, or
  - (iii) any piece of silver or bronze or of coarse platinum, gold, silver, or of any metal or mixture of metals, being of a fit size and figure to be coined, with intent that it shall be coined into false and counterfeit coin resembling any current platinum, gold, silver or cupro-nickel coin; or
- (b) gilds, or, with any wash or materials capable of producing the colour or appearance of gold or by any means whatsoever, washes, cases over or colours, any current silver or cupro-nickel coin with intent to make it resemble or pass for any current platinum or gold coin; or
- (c) files or in any manner alters —
- (i) any current silver or cupro-nickel coin with intent to make it resemble or pass for any current platinum or gold coin; or
  - (ii) any current bronze coin with intent to make it resemble or pass for any current platinum, gold, silver or cupro-nickel coin,

shall be guilty of an offence and shall be liable, on conviction on information, to imprisonment for life.

### **3 Impairing platinum, gold, silver, cupro-nickel or bronze coin and unlawful possession of filings, etc**

[P1936/16/3]

- (1) Every person who impairs, diminishes or lightens any current platinum, gold, silver or cupro-nickel coin with intent that the coin so impaired, diminished or lightened may pass for a current platinum, gold, silver or cupro-nickel coin shall be guilty of an offence and shall be liable, on conviction on information, to imprisonment for a term not exceeding 14 years.
- (2) Every person who unlawfully has in his possession any filing or clipping, or any platinum, gold, silver, cupro-nickel or bronze bullion or any platinum, gold, silver, cupro-nickel or bronze in dust, solution or otherwise, which has been produced or obtained by impairing, diminishing or lightening any current platinum, gold, silver, cupro-nickel or bronze coin, knowing that it has been so produced or obtained, shall be guilty of an offence and shall be liable, on conviction on information, to imprisonment for a term not exceeding 7 years.

#### 4 Defacing and uttering defaced coins

[P1936/16/4 (1)-(3)]

- (1) Every person who defaces any current coin by stamping thereon any names or words, whether the coin is or is not thereby diminished or lightened, shall be guilty of an offence and shall be liable —
  - (a) on conviction on information, to imprisonment for a term not exceeding 1 year;
  - (b) on summary conviction, to imprisonment for a term not exceeding 3 months or to a fine not exceeding level 3 on the standard scale, or to both.<sup>1</sup>
- (2) [Repealed]<sup>2</sup>
- (3) Every person who tenders, utters or puts off any coin which has been defaced as aforesaid shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 1 on the standard scale, but no proceedings shall be instituted under this subsection except by or with the consent of the Attorney General.<sup>3</sup>

#### 5 Uttering and possession with intent to utter

[P1936/16/5]

- (1) Every person who tenders, utters or puts off any false or counterfeit coin resembling any current coin knowing it to be false or counterfeit shall be guilty of an offence and shall be liable —
  - (a) on conviction on information, to imprisonment for a term not exceeding 1 year;
  - (b) on summary conviction to imprisonment for a term not exceeding 3 months or to a fine not exceeding level 3 on the standard scale, or to both.<sup>4</sup>
- (2) Every person who tenders, utters or puts off any false or counterfeit coin resembling any current platinum, gold, silver or cupro-nickel coin, knowing it to be false or counterfeit, and —
  - (a) at the time of the tendering, uttering or putting off has in his possession, besides that coin, any other such false or counterfeit coin; or
  - (b) on the day of the tendering, uttering or putting off, or within the period of 10 days next following, tenders, utters or puts off any other such false or counterfeit coin, knowing it to be false or counterfeit,shall be guilty of an offence and shall be liable —
  - (a) on conviction on information, to imprisonment for a term not exceeding 2 years;

- (b) on summary conviction, to imprisonment for a term not exceeding 3 months or to a fine not exceeding level 3 on the standard scale; or to both.<sup>5</sup>
- (3) Every person who has in his possession 3 or more false or counterfeit coins resembling any current platinum, gold, silver or cupro-nickel coin, knowing them to be false or counterfeit and with intent to utter or put off the said coins or any of them, shall be guilty of an offence and shall be liable —
  - (a) on conviction on information, to imprisonment for a term not exceeding 5 years;
  - (b) on summary conviction, to imprisonment for a term not exceeding 3 months or to a fine not exceeding level 3 on the standard scale, or to both.<sup>6</sup>
- (4) Every person who has in his possession 3 or more false or counterfeit coins resembling any current bronze coin, knowing them to be false or counterfeit and with intent to utter or put off the said coins or any of them, shall be guilty of an offence and shall be liable, on conviction on information —
  - (a) to imprisonment for a term not exceeding 1 year;
  - (b) on summary conviction, to imprisonment for a term not exceeding 3 months or to a fine not exceeding level 3 on the standard scale, or to both.<sup>7</sup>
- (5) Every person who commits —
  - (a) any offence under subsection (1) in respect of a coin resembling a current platinum, gold, silver or cupro-nickel coin; or
  - (b) any offence under subsection (2) or (3),having been previously convicted of —
  - (i) any such offence; or
  - (ii) any offence under section 1(1), 2, 3, 6(1), 7(1) (in relation to importing or receiving) or 9; or
  - (iii) any offence under section 288, 289, 290, 291, 292, 293, 295, 296, 297, 300 or 309 of the *Criminal Code 1872*,shall be liable, on conviction on information, to imprisonment for life.
- (6) Every person who, with intent to defraud, tenders, utters or puts off as or for any current platinum, gold, silver or cupro-nickel coin —
  - (a) any coin not being that current coin and being of less value than that current coin; or
  - (b) any medal or piece of metal or mixed metal resembling in size, figure and colour that current coin and being of less value than that current coin;



shall be guilty of an offence and shall be liable —

- (a) on conviction on information, to imprisonment for a term not exceeding 1 year;
  - (b) on summary conviction, to imprisonment for a term not exceeding 3 months or to a fine not exceeding level 3 on the standard scale, or to both.<sup>8</sup>
- (7) The offence of tendering, uttering or putting off a false or counterfeit coin shall be deemed to be complete although the coin is not in a fit state to be uttered or the counterfeiting thereof has not been finished or perfected.

## **6 Buying or selling, etc counterfeit coin for lower value than its denomination**

[P1936/16/6]

- (1) Every person who, without lawful authority or excuse (the proof whereof shall lie on the person accused), buys, sells, receives, pays or puts off, or offers to buy, sell, receive, pay or put off, any false or counterfeit coin resembling any current coin at or for a lower rate or value than the false or counterfeit coin imports or apparently is intended to import, shall be guilty of an offence and shall be liable, on conviction on information —
  - (a) in a case where the coin resembles a current platinum, gold, silver or cupro-nickel coin, to imprisonment for life;
  - (b) in a case where the coin resembles a current bronze coin, to imprisonment for a term not exceeding 7 years.
- (2) In any information for any offence under this section in respect of a coin resembling a current platinum, gold, silver or cupro-nickel coin, it shall be sufficient to allege that the person accused bought, sold, received, paid or put off the coin, or offered to buy, sell, receive, pay or put off the coin, at or for a lower rate or value than it imports or was apparently intended to import, without alleging at or for what rate, price or value it was bought, sold, received, paid or put off, or offered to be bought, sold, received, paid or put off.
- (3) An offence under this section shall be deemed to be complete although the coin bought, sold, received, paid or put off, or offered to be bought, sold, received, paid or put off, is not in a fit state to be uttered, or the counterfeiting thereof has not been finished or perfected.

## **7 Importing and exporting, etc counterfeit coin**

[P1936/16/7]

- (1) Every person who, without lawful authority or excuse (the proof whereof shall lie on the person accused) —

- (a) imports or receives into the Island any false or counterfeit coin resembling any current platinum, gold, silver or cupro-nickel coin, knowing it be false or counterfeit; or
- (b) exports or removes from the Island, or puts on board any ship, vessel, boat or aircraft for the purpose of being so exported or removed, any false or counterfeit coin resembling any current coin, knowing it to be false or counterfeit,

shall be guilty of an offence and shall be liable —

- (a) on conviction on information to imprisonment for a term not exceeding 14 years;
- (b) on summary conviction, to imprisonment for a term not exceeding 3 months or to a fine not exceeding level 3 on the standard scale or to both.<sup>9</sup>

- (2) Nothing in this section shall affect any statutory provision relating to the importation or receiving into the Island of coin and imitation coin.

## **8 Making, possessing and selling medals resembling platinum, gold, silver or cupro-nickel coin**

[P1936/16/8]

Every person who, without lawful authority or excuse (the proof whereof shall lie on the person accused), makes, sells, offers for sale or has in his possession for sale, any medal, cast, coin or other like thing made wholly or partially of metal or any mixture of metals, and either —

- (a) resembling in size, figure and colour any current platinum, gold, silver or cupro-nickel coin; or
- (b) having thereon a device resembling a device on any such current coin; or
- (c) being so formed that it can, by gilding, silvering, colouring, washing or other like process be so dealt with as to resemble any such current coin,

shall be guilty of an offence and shall be liable —

- (i) on conviction on information, to imprisonment for a term not exceeding 1 year;
- (ii) on summary conviction, to imprisonment for a term not exceeding 3 months or to a fine not exceeding level 3 on the standard scale, or to both.<sup>10</sup>

## **9 Making, mending and having possession of coining implements**

[P1936/16/9]

- (1) Every person who, without lawful authority or excuse (the proof whereof shall lie on the person accused), knowingly makes or mends, or begins or

proceeds to make or mend, or buys or sells, or has in his possession, any puncheon, counter-puncheon, matrix, stamp, die, pattern or mould in or upon which there is made or impressed, or which will make or impress, or which is adapted and intended to make or impress, the figure, stamp or apparent resemblance of both or either of the sides of any current platinum, gold, silver or cupro-nickel coin, or any part of both or either of those sides, shall be guilty of an offence and shall be liable, on conviction on information, to imprisonment for life.

- (2) Every person who, without lawful authority or excuse (the proof whereof shall lie on the person accused), makes or mends, or begins or proceeds to make or mend, or buys or sells, or has in his possession —
- (a) any edger, edging or other tool, collar, instrument or engine adapted and intended for the marking of coin round the edges with letters, grainings or other marks or figures apparently resembling those on the edges of any current platinum, gold, silver or cupro-nickel coin, knowing it to be so adapted and intended as aforesaid; or
  - (b) any press for coinage, or any cutting engine for cutting by force of a screw or other contrivance round or polygonal blanks out of platinum, gold, silver, cupro-nickel or other metal or mixture of metals, or any other machine, knowing the press to be a press for coinage or knowing the engine or machine to have been used or to be intended to be used for the false making or counterfeiting of any current platinum, gold, silver or cupro-nickel coin,

shall be guilty of an offence and shall be liable, on conviction on information, to imprisonment for life.

- (3) Every person who, without lawful authority or excuse (the proof whereof shall lie on the person accused), knowingly makes or mends, or begins or proceeds to make or mend, or buys or sells, or has in his possession, any instrument, tool or engine adapted and intended for the counterfeiting of any current bronze coin shall be guilty of an offence and shall be liable, on conviction on information, to imprisonment for a term not exceeding 7 years.

## **10 Provisions as to arrest, discovery and seizure**

[P1936/16/11]

- (1) Any person found committing an offence against this Act, other than an offence against section 8, may be immediately apprehended without a warrant by any person and forthwith taken before a justice of the peace to be dealt with according to law.
- (2) If any person finds in any place whatsoever, or in the possession of any person without lawful authority or excuse —

- (a) any false or counterfeit coin resembling any current coin (in this section referred to as a “counterfeit coin”); or
- (b) any instrument, tool or engine whatsoever adapted and intended for the counterfeiting of any such coin (in this section referred to as a “counterfeiting instrument”); or
- (c) any filings or clippings, or any platinum, gold, silver, cupro-nickel or bronze bullion, or any platinum, gold, silver, cupro-nickel or bronze in dust solution or otherwise, which have been produced or obtained by diminishing or lightening any current platinum, gold, silver, or cupro-nickel or bronze coin (in this section referred to as “counterfeiting material”),

he shall seize the counterfeit coin or counterfeiting instrument or material and carry it forthwith before a justice of the peace.

- (3) Where it is made to appear by information on oath before any justice of the peace that there is reasonable cause to suspect that any person has been concerned in counterfeiting any current coin, or has in his possession any counterfeit coin or any counterfeiting instrument or any other machine used or intended to be used for making or counterfeiting any current coin (in this section referred to as a “counterfeiting machine”) or any counterfeiting material, it shall be lawful for any justice of the peace, by warrant under his hand —
  - (a) to cause any place whatsoever belonging to or in the occupation or under the control of that person to be searched, either in the day or in the night; and
  - (b) to cause to be seized and carried forthwith before a justice of the peace any counterfeit coin or counterfeiting instrument, machine or material found in any place so searched.
- (4) Where any counterfeit coin or counterfeiting instrument, machine or material is seized and carried before a justice of the peace, he shall, if necessary, cause it to be secured for the purpose of being produced in evidence in a prosecution for an offence against this Act.
- (5) Any counterfeit coin or counterfeiting instrument, machine or material seized under this section shall, if it is not required to be produced in evidence or, if it is so required, after it has been so produced, be delivered up forthwith to the Treasurer or to any person authorised by him to receive it.

## 11 Evidence of coin being counterfeit

[P1936/16/13]

Where a person is charged with an offence against this Act, the fact that a coin produced in evidence against him is false or counterfeit may be proved by the evidence of any credible witness, and it shall not be necessary to prove that fact by the evidence of an officer of Her Majesty’s Mint or an official of any other Mint.

## 12 Breaking of coin suspected to be counterfeit

[P1936/16/14]

- (1) If any person suspects any coin tendered to him as current platinum, gold, silver or cupro-nickel coin to have been diminished otherwise than by reasonable wearing, or to be counterfeit, it shall be lawful for him to break the coin.
- (2) If any coin when so broken appears to have been diminished otherwise than as aforesaid, or to be counterfeit, the person tendering it shall bear the loss thereof, but if it is of due weight and appears to be lawful coin, the person breaking it shall receive it at the rate it was coined for.
- (3) If any dispute arises whether any coin so broken has been diminished otherwise than as aforesaid, or is counterfeit, it shall be heard and finally determined in a summary manner by the High Bailiff.
- (4) In this section, references to breaking shall include references to cutting, bending and defacing.

## 13 Interpretation

[P1936/16/17]

For the purposes of this Act —

- (a) “bronze”, in relation to bullion, coin or dust, includes bullion, coin or dust of any metal or mixed metal not being platinum, gold, silver or cupro-nickel;
- (b) a coin shall be deemed to be current if it has been coined in any Mint approved by the Treasury or in any of Her Majesty’s Mints, or is lawfully current, by virtue of any Proclamation or otherwise, in any part of Her Majesty’s dominions. whether within the Island or otherwise, or is lawfully current in any foreign country;<sup>11</sup>
- (c) a coin apparently intended to resemble or pass for any current coin shall be deemed to resemble that current coin;
- (d) a current coin which has been gilt, silvered, washed, coloured or cased over or in any manner altered so as to resemble any current coin of a higher denomination shall be deemed to be a false or counterfeit coin resembling a current platinum, gold, silver or cupro-nickel coin;
- (e) a thing shall be deemed to be in the possession of any person if he himself has it in his personal custody or possession, and also if he knowingly and wilfully has it in the actual custody or possession of some other person, or in some building or place (whether belonging to or occupied by himself or not), and whether he has it for his own use or benefit or for that of any other person;
- (f) gold coinage issued by the Treasury under the Gold Coinage Act 1965 shall be treated as current gold coin.<sup>12</sup>

**14** [Repealed]<sup>13</sup>

**15** [Repealed]<sup>14</sup>

**16** [Repealed]<sup>15</sup>

**17 Short title, construction and commencement**

- (1) This Act may be cited as the Coinage Offences Act 1980 and shall be construed as one with the Criminal Law Acts 1872 to 1975 and those Acts and this Act may be cited together as the Criminal Law Acts 1872 to 1980.
- (2) This Act shall come into operation at the end of the period of two months beginning with the date on which it is passed.

**SCHEDULE 1<sup>16</sup>**

**SCHEDULE 2<sup>17</sup>**





## ENDNOTES

### Table of Legislation History

Legislation	Year and No	Commencement

### Table of Renumbered Provisions

Original	Current

### Table of Endnote References

<sup>1</sup> Para (b) amended by Fines and Penalties Act 2024 Sch 3.

<sup>2</sup> Subs (2) repealed by Currency Act 1992 Sch 2.

<sup>3</sup> Subs (3) amended by Fines and Penalties Act 2024 Sch 1.

<sup>4</sup> Para (b) amended by Fines and Penalties Act 2024 Sch 3.

<sup>5</sup> Para (b) amended by Fines and Penalties Act 2024 Sch 3.

<sup>6</sup> Para (b) amended by Fines and Penalties Act 2024 Sch 3.

<sup>7</sup> Para (b) amended by Fines and Penalties Act 2024 Sch 3.

<sup>8</sup> Para (b) amended by Fines and Penalties Act 2024 Sch 3.

<sup>9</sup> Para (b) amended by Fines and Penalties Act 2024 Sch 3.

<sup>10</sup> Subpara (ii) amended by Fines and Penalties Act 2024 Sch 3.

<sup>11</sup> Para (b) amended by Treasury Act 1985 Sch 2.

<sup>12</sup> Para (f) added by Currency Act 1992 Sch 1.

<sup>13</sup> S 14 repealed by Currency Act 1992 Sch 2.

<sup>14</sup> S 15 repealed by Statute Law Revision Act 2021 s 9.

<sup>15</sup> S 16 repealed by Statute Law Revision Act 1992 Sch 2.

<sup>16</sup> Sch 1 repealed by Currency Act 1992 Sch 2.

<sup>17</sup> Sch 2 repealed by Statute Law Revision Act 1992 Sch 2.