



COINS ACT

ARRANGEMENT OF SECTIONS

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CITATION

An Act to prohibit the importation into and exportation from Nigeria of coin, whether legal tender within Nigeria or not, and penalty for other matters connected therewith.

COMMENCEMENT

[8th March, 1928]

1. Short title

This Act may be cited as the Coins Act.

2. Interpretation Definitions-

"Bankers" means any corporation carrying on the business of bankers or financial agents;

"Coin" includes notes issued by a Government or by a banker.

3. Power to prohibit importation and exportation of coin

The President may by order-

- (a) prohibit the importation into Nigeria of such coins, whether legal tender within Nigeria or not, as are in such order specified; and
- (b) prohibit the exportation from Nigeria of such coins, being legal tender within Nigeria, as are in such order specified; and
- (c) exempt any country or State from the operation of any order prohibiting the import into or export from Nigeria of such coins as are in such order specified; and
- (d) attach to any order prohibiting the import into or export from Nigeria of such coins as are in such order specified, any limitation with regard to particular portions of the frontier of Nigeria, or particular classes of persons importing or exporting or any other limitation whatsoever; and

- (e) exempt from the operation of any order prohibiting the import into or export from Nigeria of such coins as are in such order specified, the import or export of such number of the said coins as may be fixed by the order.
- (2) The President may by order prohibit the circulation in Nigeria of such foreign coins, not being legal tender within Nigeria, as are in such order specified.

4. Penalty for contravention of order

- (1) Any person who, in contravention of any order made in pursuance of the last preceding section, imports or exports or attempts to import or export any coins in such order specified to the number of twenty or upwards shall be liable to a fine of two hundred naira:

Provided that, when a number has been fixed under section 3 (1) (e) of this Act as the number of coins the import or export of which is exempted from the operation of any such order, the number one above the number so fixed shall be deemed to be substituted for the number herein specified.

- (2) Any coin imported or exported or attempted to be imported or exported in contravention of any such order may be forfeited.
- (3) In any case in which it has been proved to the satisfaction of a court that coin has been exported in contravention of any such order, the court, in addition to the fine authorised by this section, may impose a further penalty not exceeding the amount or value of the coins so found to have been exported.
- (4) This section shall not apply to any coin imported or exported with the permission in writing under the hand of the Minister or of any officer appointed in that behalf by the President and any such permission shall specify the terms on which such coin may be imported or exported as the case may be.

- (5) Any person importing or exporting coin in contravention of the terms of such permission shall be liable to a fine of two hundred naira, and any coin so imported or exported may be forfeited; the provision contained in subsection (3) of this section shall apply in the case of any coin exported in contravention of the terms of any such permission.
- (6) Any person who in contravention of any order issued in pursuance of section 3 of this Act circulates or attempts to circulate any coin in such order specified shall be liable to a fine of ten naira, and the coin may be forfeited.
- (7) For the purposes of this section, a person shall not be deemed to circulate coin who gives it to a banker in exchange for other coin.

5. Forfeiture of prohibited coin

Any coin, the circulation of which in Nigeria is for the time being prohibited by any such order as aforesaid, found within Nigeria otherwise than in the possession of a banker, after the expiration of sixty days from the publication in the Federal Gazette of such order, may be forfeited, and may be seized without warrant by any police officer and detained pending adjudication.

6. Search under warrants

A magistrate, if satisfied by sworn information in writing that there is good cause to believe that any coin which has been imported, or is in the act of being imported or exported in contravention of any such order, is likely to be found in any place may by warrant under his hand direct any police officer named or specified therein, to enter such place and search the same and seize all coins found therein the import or export of which is for the time being prohibited and detain the same pending adjudication.

7. Arrest without warrant

Any person found offending against this Act may be arrested by any police officer without warrant.

8. Declaration of forfeiture

Forfeitures of coin may be declared under this Act by-

- (a) a High Court upon information filed by the Attorney-General of the Federation or the Attorney-General of a State;
 - (b) the convicting court in all cases where a person is convicted of an offence against this Act in respect of such coin;
 - (c) a magistrate's court where no person is convicted and the number of coins does not exceed one hundred.
9. Onus of proof of kind of coins

In any prosecution for an offence, and in any proceeding for the forfeiture of any coins, under this Act, any coins in respect of which such prosecution or proceeding has been instituted, shall be deemed to be coins of the kind specified in the charge, information, complaint, or application for such forfeiture unless the contrary is proved.

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SUBSIDIARY LEGISLATION

List of Subsidiary Legislation

1. Silver and Alloy Metal Coins Importation (Prohibition) Order.

SILVER AND ALLOY METAL COINS IMPORTATION (PROHIBITION) ORDER

[ORDER IN COUNCIL OF 1929.]

UNDER SECTION 3

1. Prohibition of importation of silver and alloy metal coins

The importation into Nigeria of all silver and alloy metal coins, not being legal tender in Nigeria is hereby prohibited.

2. Prohibition of circulation of silver and alloy metal coins

The circulation in Nigeria of all silver and alloy metal coins, not being legal tender in Nigeria is hereby prohibited.



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