



HM TREASURY

GUIDELINES ON COINAGE AND BANKNOTES ISSUES

These guidelines are intended to assist members of the public who are considering making coins, tokens for money or other items purporting that the holder of them is entitled to demand the value denoted on them. They are also intended to assist persons who are considering making reproductions of coins and banknotes. They are intended to cover those areas in respect of which the Treasury most frequently receives enquiries. They are not intended to provide a comprehensive guide to all provisions of the relevant legislation.

These guidelines represent HM Treasury's interpretation of the relevant legislation and are not intended to constitute legal advice. Persons wishing to do anything covered by these guidelines or anything falling outside the scope of them should seek their own independent legal advice before proceeding with the project.

The Forgery and Counterfeiting Act 1981 and the Coinage Act 1971 should be read alongside these guidelines.

The Forgery and Counterfeiting Act 1981

Counterfeiting of coins and banknotes

The Forgery and Counterfeiting Act 1981 makes provision for various offences connected with the counterfeiting of coins and banknotes and the possession of instruments that might be used for counterfeiting such items.

This Act provides, amongst other things, that it is an offence to (i) make a counterfeit of a currency note or of a protected coin with the intention of passing or tendering it as genuine or (ii) to make a counterfeit of a currency note or of a protected coin without lawful authority or excuse.

It is also an offence for a person (i) to pass or tender as genuine a thing knowing or believing it to be a counterfeit of a currency note or protected coin, or (ii) to deliver to another person any thing knowing or believing that thing to be a counterfeit of a currency note or protected coin with the intention that the other person shall pass or tender it as genuine.

It is also an offence for a person to deliver, without lawful authority or excuse, to another person any thing which he or she knows or believes to be a counterfeit of a currency note or protected coin.

“Protected coin” is defined, by the Act, as any coin that is: (a) customarily used as money in any country or (b) specified in an Order made by the Treasury.

The coins that have been specified in an Order by the Treasury are: the Sovereign, Half-Sovereign, Krugerrand, coins denominated as a fraction of krugerrand, Maria Theresa thaler bearing the date 1780 and the euro.

Under the Act, the definition of “Currency note” covers notes that have been issued in England and Wales, Scotland, Northern Ireland, any of the Channel Islands, the Isle of Man or the Republic of Ireland that are customarily used as money in the place where they were issued and are payable on demand. The definition also covers any note that has been issued in a country other than those listed above and which is customarily used as money in that country.

A “counterfeit of a protected coin or currency note”, as defined by the Forgery and Counterfeiting Act 1981, is:

- (a) a thing that is not a currency note or a protected coin but resembles a currency note or protected coin (whether on one side only or on both) to such an extent that it is reasonably capable of passing for a currency note or protected coin of that description; or
- (b) if it is a currency note or protected coin which has been so altered that it is reasonably capable of passing for a currency note or protected coin of that description.

The above sets out some of the important definitions and offences prescribed by the Forgery and Counterfeiting Act 1981. These along with all the other offences in the Act should be considered before proceeding with any project.

Treasury consent

The Act also provides that in certain circumstances it is a defence for a person to show that he or she has written consent from the Treasury to do a particular thing or that certain activities are prohibited unless the consent of the Treasury has been obtained.

In particular, it is an offence for any person to have in his or her control or under his or her custody any implement that he or she knows is capable of imparting to any thing a resemblance to; (i) the whole or part of either side of a protected coin; or (ii) to the whole or part of the reverse image on either side of a protected coin (section 17(3)). However, it is a defence for any person charged with that offence to show, amongst other things, that he or she had the implement in his or her control or under his or her custody with the written consent of the Treasury (section 17(4)).

In addition, it is an offence for a person to import, land or unload a counterfeit of a currency note or of a protected coin or to export such counterfeits without the consent of the Treasury (sections 20 and 21).

An application for the requisite Treasury consent can be made to:

**Debt and Reserves Management Team
HM Treasury
1 Horse Guards Road
London
SW1A 2HQ**

An application for Treasury consent under section 17(4) should include, at least, the following information:

- €# details of implements and materials you intend to make or have under your control or custody;
- €# name and address of the person who will be making the implements or materials and where;
- €# the reasons for wanting to make or have in your custody or under your control implements and materials that would be capable of imparting to any thing a resemblance of a protected coin; and
- €# details of the coin that you intend to make from the implements under your control or custody.

An application for Treasury consent under sections 20 and 21 should include, at least, the following information:

- €# details of the person intending to either bring into or take out of the country counterfeit currency. This should include their name and address;
- €# which country the counterfeits are to be exported to or imported from. This should include the date on which it is intended that the counterfeits will be exported or imported;
- €# details about the counterfeits that are to be exported or imported. This should include details of the protected coins or currency notes of which the items are “counterfeits”, the quantity to be imported or exported, the denomination of the counterfeits and, if relevant, their serial numbers; and
- €# the reasons for wanting to either import or export counterfeit currency

Making, Selling or Distributing Imitation British Coins

Section 19 of the 1981 Act makes it an offence to:

- (i) make an imitation British coin in connection with a scheme intended to promote the sale of any product or the making of contracts for the supply of any service; or
- (ii) sell or distribute imitation British coins in connection with any such scheme, or to have imitation British coins in his or her custody or under his or her control with a view to such sale or distribution,
without Treasury consent in writing to the sale or distribution of such imitation British coins in connection with that scheme.

A “British Coin” is defined, in section 19(2) of the Act, as any coin which is legal tender in any part of the United Kingdom. An “imitation British coin” is

any thing that resembles a British coin in shape, size and the substance of which it is made.

Any person intending to make imitation British coins in connection with a scheme falling within section 19 must first obtain the written consent of the Treasury. An application for consent can be made to:

**Debt and Reserves Management Team
HM Treasury
1 Horse Guards Road
London
SW1A 2HQ**

An application for Treasury consent under section 19 should include, at least, the following information:

- €# details of the “imitation British coin” that you intend to make. For example, which British coin you intend to imitate. What will the imitation coins be made from? What size will the imitation coins be? What shape will the imitation coins be?
- €# details of the scheme in connection with which you propose to sell or distribute those imitation coins. For example, is it for a commercial, promotional, charitable or any other purpose? who is the scheme intended to target - businesses or members of the public? is it to be promoted or sold, locally, regionally, nationally or internationally?
- €# how many imitation coins do you envisage making;
- €# name and address of the person who will be making the imitation coins and where;
- €# name and address of the person / persons who will be selling, distributing or having custody of the imitation coins; and
- €# if relevant, whether the Lord Chamberlain’s Office and Royal Mint have granted you approval to the use of the Royal effigy and copyright of the coin design, respectively.

The Coinage Act 1971

Production of Coins and Tokens

Section 9 of the Coinage Act 1971 provides that:

“(1) No piece of gold, silver, copper, bronze, or of any metal or mixed metal, of any value whatever, shall be made or issued except with the authority of the Treasury, as a coin or a token for money, or as purporting that the holder thereof is entitled to demand any value denoted thereon”.

Melting Down or Breaking Up Coins

Section 10 of the 1971 Coinage Act provides, amongst other things, that:

“(1) No person shall, except under the authority of a licence granted by the Treasury, melt down or break up any metal coin which is for the time being current in the United Kingdom or which, having been current there, has at any time after 16th May 1969 ceased to be so”.

To obtain Treasury consent to either (a) make or issue a metallic coin, token for money etc under section 9 of the Coinage Act 1971; or (b) melt down or break up a coin, please write to:

**Debt and Reserves Management Team
HM Treasury
1 Horse Guards Road
London
SW1A 2HQ**

Applications for authority under **section 9** of the Coinage Act 1971, should include at least the following information:

- €# details of the coin or token etc you propose to make. For example, what is the proposed design of the coins or tokens etc? What will they be made from? What are their proposed dimensions? Will they have any value stamped on them either in words or numbers? For what purpose are the coins or tokens etc to be made?
- €# if relevant, whether the Lord Chamberlain’s Office and Royal Mint have granted you their approval to the use of Royal images and copyrights of the coin design, respectively;
- €# contact details (that is name and address) of the person who will be making the product and where; and
- €# how many coins etc you envisage making.

Applications for authority under **section 10** of the Coinage Act 1971, should at least include the following information:

- €# details of the coin you propose breaking up or melting down;
- €# the reasons for wanting to break up or melt down the relevant coins;
- €# name and address of the person who will be carrying out the work and where;
- €# a statement from them explaining in detail what the process involves; and
- €# the number of coins you envisage breaking up or melting down.

Other issues

Pictorial Representations of Coins and Banknotes

This part of the guidelines is intended to assist those who are considering using pictures or images of coins or banknotes.

Coins

The copyright for UK coin designs subsists in the Crown. Responsibility for Crown Copyright in coin designs lies with the Royal Mint. Royal Mint guidelines on the use of the designs of UK coins can be accessed from the Mint's website at: www.royalmint.com

Any enquiries on these guidelines including seeking permission to copy the whole or part of a coin design or to use an image of a coin should be made to the Royal Mint at:

**Royal Mint
Llantrisant
Pontyclun
Wales
CF72 8YT**

Email: Information.Office@royalmint.gov.uk

Banknotes

(i) Notes issued in England and Wales, Scotland or Northern Ireland

Section 18(1) of the Forgery and Counterfeiting Act 1981 provides that it is an offence without prior written consent from the relevant authority for any person, to reproduce on any substance whatsoever, and whether or not on the correct scale, any British currency note or any part of a British Currency note.

A British currency note is defined by the Act, as any note which (a) has been lawfully issued in England and Wales, Scotland or Northern Ireland; (b) is or has been customarily used as money in the country where it was issued; and (c) is payable on demand.

“Relevant authority” in relation to a British currency note of a particular description, is the authority that is empowered by law to issue notes of that description.

The Bank of England is the only authority empowered by law to issue notes in England and Wales. It also holds the copyright in the designs of the notes that it issues.

Information on the procedure applicable to the reproduction of Bank of England banknotes including how to apply for consent can be obtained from the Bank website at <http://www.bankofengland.co.uk/banknotes/>

or, by writing to:

**Notes Reproduction Officer
Notes Division
Bank of England
Threadneedle Street**

**London
EC2R 8AH**

Permission to reproduce notes that have been issued by banks in Northern Ireland or Scotland will need to be sought from the relevant issuing bank.

These banks are:

Northern Ireland: Bank of Ireland
First Trust Bank Ltd
National Bank Ltd
Northern Bank Ltd
Ulster Bank Ltd

Scotland: Bank of Scotland
Clydesdale Bank plc
Royal Bank of Scotland plc

(ii) Notes issued in countries other than England and Wales, Scotland and Northern Ireland.

Any person wishing to reproduce a banknote issued in a country other than those referred to above will need to consider carefully the relevance of the provisions, other than section 18 of the Forgery and Counterfeiting Act 1981, to their project. In addition, they may wish to consider whether it would be appropriate to approach the issuing authorities in that country for permission to reproduce such a note whether in whole or in part.

Use of the Royal Effigy

Guidance and, where appropriate, approval for the use of images of past and present monarchs or members of the royal family for promotional or commercial purposes should be sought from the Lord Chamberlain's Office at the address below:

**The Secretary
Lord Chamberlain's Office
Buckingham Palace
London
SW1A 1AA**

HM Treasury have written these set of guidelines with the approval of the Royal Mint, Lord Chamberlain's Office and the Bank of England. They set out the Treasury's view of the law and are not intended to constitute legal advice. Individuals should seek their own independent legal advice before proceeding with any project.

Each application for Treasury consent under the various Acts outlined above will be considered on its own merits. These guidelines will be updated from time to time as appropriate.

To obtain further copies of these guidelines please contact:

Debt and Reserves Management Team
HM Treasury
1 Horse Guards Road
London
SW1A 2HQ

Telephone: 0207 270 5000

Email: public.enquiries@hm-treasury.gsi.gov.uk

Enquiries relating to coinage or banknote issues that are not covered by these guidelines can also be sent to the above address.

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