**4.** This Order shall come into force on the 30th day of October, nineteen hundred and fifty-eight.

Dated this 28th day of October, 1958.

*Harwood Harrison,*

*R. Brooman-White,*

Two of the Lords Commissioners of Her Majesty's Treasury.

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EXPLANATORY NOTE

*(This Note is not part of the Order, but is intended to indicate its general purport.)*

This Order amends the list of Authorised Depositaries, with whom, under the Exchange Control Act, 1947, certain securities are required to be deposited.

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## 1958 No. 299

## The Exchange Control (Import and Export) Order, 1958

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| *Made - - - -* | *25th February,* 1958 |
| *Laid before Parliament* | *27th February,* 1958 |
| *Coming into Operation* | *28th February,* 1958 |

The Treasury, in exercise of the powers conferred upon them by sections 31 and 36 of the Exchange Control Act, 1947(a), and by those sections as extended to the Channel Islands by the Exchange Control (Channel Islands) Order, 1947(b), and of all other powers enabling them in that behalf, hereby make the following Order:—

**1.** References in this Order to any provision of the Exchange Control Act, 1947, include references to that provision as extended to the Channel Islands by the Exchange Control (Channel Islands) Order, 1947.

**2.** There shall be exempted from the provisions of subsection (1) of section 21 of the Exchange Control Act, 1947, the importation into the United Kingdom or the Channel Islands of any notes of a class which are or have at any time been legal tender in the United Kingdom or any part of the United Kingdom.

**3.** There shall be exempted from the provisions of subsection (1) of section 22 of the Exchange Control Act, 1947, the exportation from the United Kingdom to the Channel Islands or to the Republic of Ireland or from the Channel Islands to the United Kingdom or to the Republic of Ireland of notes to which the said section 22 applies to any amount, provided that where the notes are so exported on the person of or in the baggage of a traveller that traveller does not, while travelling between the United Kingdom, the Channel Islands and the Republic of Ireland, touch at any other place.

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(a) 10 & 11 Geo. 6. c. 14.
(b) S.R. & O. 1947/2034 (Rev. VI, p. 1001: 1947 I, p. 660).

**4.** There shall be exempted from the provisions of subsection (1) of the said section 21 the importation into the United Kingdom from the Channel Islands or into the Channel Islands from the United Kingdom and there shall be exempted from the provisions of subsection (1) of the said section 22 the exportation from the United Kingdom to the Channel Islands or from the Channel Islands to the United Kingdom of anything (other than the notes referred to in Articles 2 and 3 of this Order) to which the said sections 21 or 22 apply, provided that where such a thing is so imported or exported on the person of or in the baggage of a traveller that traveller does not, while travelling between the United Kingdom and the Channel Islands, touch at any other place.

**5.** There shall be exempted from the provisions of subsection (1) of the said section 21 the importation into the United Kingdom or the Channel Islands of the certificate of title to any security which is registered in the scheduled territories and is not and cannot without the necessity for an entry in the register in the scheduled territories become registered outside the scheduled territories, or is registered both in the scheduled territories and outside the scheduled territories but on a transfer cannot without the necessity for an entry in the register in the scheduled territories become registered outside the scheduled territories in the name of the transferee and on which none of the dividends or interest is payable on presentment of a coupon.

**6.**—(1) There shall be exempted from the provisions of subsection (1) of the said section 22 the exportation from the United Kingdom or the Channel Islands

(*a*) by any traveller on his person or in his baggage if he is about to leave the United Kingdom or the Channel Islands for any other destination or for any destination in the Republic of Ireland and while so travelling, will touch at any place other than the Republic of Ireland outside the United Kingdom or the Channel Islands, of notes which are or have at any time been legal tender in the United Kingdom or any part of the United Kingdom or any part of the Channel Islands not exceeding £10 sterling in value and in addition thereto of notes which are or have at any time been legal tender in any other territory not exceeding £100 sterling in value, provided that,

(i) if and so long as there is in force a permission granted under subsection (1) of the said section 22 authorising that person to take any notes to which the said section 22 applies out of the United Kingdom or the Channel Islands, he shall not be entitled to any exemption under this sub-paragraph ; and

(ii) nothing in this sub-paragraph shall be deemed to authorise the contravention of any of the provisions of section 1 which relates to dealings in gold and foreign currency or section 6 which relates to payments outside the United Kingdom ;

(*b*) in any manner other than on the person of a traveller or in a traveller's baggage, to any of the scheduled territories of notes to any amount expressed in the currency of the territory to which the notes are exported ;

(*c*) in any manner other than on the person of a traveller, or in a traveller's baggage, to any of the scheduled territories, of postal orders ;

(*d*) in any manner other than on the person of a traveller, or in a traveller's baggage, to any person described in the Schedule to this Order serving outside the scheduled territories, of postal orders not exceeding £2 in value ;

(*e*) to any of the scheduled territories of any policy of assurance expressed in terms of the currency of any of the scheduled territories;

(*f*) of any bill of exchange or promissory note expressed in terms of the currency of any of the scheduled territories not being a bill or note which is or has at any time been legal tender in any of those territories;

(*g*) of any bill of exchange or promissory note expressed in terms of a currency other than sterling and issued by an authorised dealer or in pursuance of a permission granted by the Treasury;

(*h*) of the certificate of title to any security which is registered in the scheduled territories and is not and cannot without the necessity for an entry in the register in the scheduled territories become registered outside the scheduled territories or is registered both in the scheduled territories and outside the scheduled territories but on a transfer cannot without the necessity for an entry in the register in the scheduled territories become registered outside the scheduled territories in the name of the transferee and on which none of the dividends or interest is payable on presentment of a coupon;

(*i*) by any traveller resident neither in the United Kingdom nor in the Channel Islands on his person or in his baggage of any travellers' cheque or letter of credit which has been imported by that traveller.

(2) For the purposes of the last foregoing paragraph the sterling value of any notes which are or have at any time been legal tender in any territory other than the United Kingdom or the Channel Islands shall be calculated,

(*a*) at the rate at which they could be sold by an authorised dealer on the day on which they are to be exported; or, if such rate is not readily ascertainable,

(*b*) at the rate determined or to be determined by the Treasury for the currency concerned.

**7.** The exemptions granted by Articles 3 to 6 of this Order shall not apply

(*a*) to a person employed or engaged in any capacity on board any ship or aircraft arriving in or departing from the United Kingdom or the Channel Islands, or

(*b*) to any person described in the Schedule to this Order when travelling on official duty.

**8.** In this Order the expressions "authorised dealer" and "scheduled territories" have the meanings respectively ascribed to them by subsection (1) of section 42 of the Exchange Control Act, 1947.

**9.**—(1) The Exchange Control (Import and Export) Order, 1955(**a**), and the Exchange Control (Import and Export) (Amendment) Order, 1956(**b**), are hereby revoked.

(2) Subsection (2) of section 38 of the Interpretation Act, 1889(**c**), shall apply upon the revocation of the said Orders as if they were Acts of Parliament and had been repealed by an Act of Parliament.

**10.** This Order shall extend to the Channel Islands.

**11.**—(1) This Order may be cited as the Exchange Control (Import and Export) Order, 1958.

(2) The Interpretation Act, 1889, shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(**a**) S.I. 1955/395 (1955 I, p. 824). (**b**) S.I. 1956/1684 (1956 I, p. 836).
(**c**) 52 & 53 Vict. c. 63.

**12.** This Order shall come into force on the twenty-eighth day of February, nineteen hundred and fifty-eight.

Dated this 25th day of February, 1958.

*Martin Redmayne,*
*Anthony Barber,*
Two of the Lords Commissioners
of Her Majesty's Treasury.

## SCHEDULE

1. Male person serving in the Armed Forces of the Crown.

2. Female person serving in any of the capacities hereinafter mentioned, that is to say:—

(*a*) Member of Queen Alexandra's Royal Naval Nursing Service or any reserve thereof.

(*b*) Member of the Women's Royal Naval Service.

(*c*) Woman medical or dental practitioner serving in the Royal Navy or any naval reserve.

(*d*) Member of Queen Alexandra's Royal Army Nursing Corps or any reserve thereof.

(*e*) Member of Queen Alexandra's Imperial Military Nursing Service or any reserve thereof.

(*f*) Member of Queen Alexandra's Royal Army Nursing Corps (Territorial Army) or any reserve thereof.

(*g*) Member of the Women's Royal Army Corps or any reserve thereof.

(*h*) Member of the Women's Royal Army Corps (Territorial Army) or any reserve thereof.

(*i*) Woman employed with the Royal Army Medical Corps or the Army Dental Corps with relative rank as an officer.

(*j*) Member of Princess Mary's Royal Air Force Nursing Service or any reserve thereof.

(*k*) Member of the Women's Royal Air Force or the Women's Auxiliary Air Force.

(*l*) Woman employed with the Medical Branch or the Dental Branch of the Royal Air Force with relative rank as an officer.

(*m*) Member of the Voluntary Aid Detachments employed under the Admiralty, Army Council or Air Council.

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## EXPLANATORY NOTE

(*This Note is not part of the Order, but is intended to indicate its general purport.*)

This Order revokes the Orders which prescribed the currency notes etc. that a traveller may bring into and take out of the United Kingdom and the Channel Islands and the currency notes etc. that may be sent into or out of the United Kingdom and the Channel Islands and re-enacts their provisions.

It amends those provisions to allow notes which are or have been legal tender in any part of the United Kingdom and the Channel Islands to be imported freely into the United Kingdom and the Channel Islands.