1959 No. 374

The Exchange Control (Payments) Order, 1959

Made - - - -	*9th March*, 1959
Laid before Parliament	*11th March*, 1959
Coming into Operation	*12th March*, 1959

The Treasury, in exercise of their powers under sections 23 and 31 of the Exchange Control Act, 1947(a), and under those sections as extended to the Channel Islands by the Exchange Control (Channel Islands) Order, 1947(b), and of all other enabling powers, make the following Order—

1. There shall be exempted from the provisions of section 5 of the Exchange Control Act, 1947 anything done for the purpose of the transfer to the account of any person of the whole or any part of an amount standing to the credit of the account of a person resident outside the scheduled territories.

2. There shall be exempted from the provisions of section 5 of the Exchange Control Act, 1947 any payment made in cash in the United Kingdom or in the Channel Islands to a person resident outside the scheduled territories—

(*a*) by a person resident outside the scheduled territories if that payment is made out of—

(i) any notes of a class which are or have at any time been legal tender in the United Kingdom or the Channel Islands or any part of the United Kingdom or the Channel Islands, or

(ii) any moneys withdrawn from an account of that person, or

(iii) any moneys arising from the sale of gold or foreign currency by that person to an authorised dealer, or

(iv) any foreign currency provided that the payment is not made as consideration for or in association with the receipt by any person of sterling;

(*b*) by a person resident in the scheduled territories if that payment—

(i) does not exceed £10 sterling in value, and

(ii) does not form part of a transaction or series of transactions wherein the aggregate value of the payments exceeds £10 sterling;

(*c*) by a banker in the United Kingdom or the Channel Islands acting in the course of his business if that payment—

(i) is made from moneys standing to the credit of an account in favour of that person with that banker, or

(ii) is in respect of the encashment by that person of a travellers' cheque or letter of credit in favour of that person.

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

3. For the purposes of section 23 of the Exchange Control Act, 1947—

(*a*) the prescribed territory shall be any territory outside the scheduled territories ;

(*b*) the prescribed manner of payment shall be payment in any specified currency or payment in sterling from the account of a person resident outside the scheduled territories.

4. In this Order " account " means a sterling account with a banker in the United Kingdom or the Channel Islands.

5. The Exchange Control (Payments) Order, 1954(**a**), the Exchange Control (Payments) (Hungary) Order, 1954(**b**), the Exchange Control (Payments) (Persia) Order, 1954(**c**), the Exchange Control (Payments) (Turkey) Order, 1955(**d**), the Exchange Control (Payments) (Italian Monetary Area), Order, 1955(**e**), the Exchange Control (Payments) (Egyptian Monetary Area) Order, 1956(**f**), the Exchange Control (Payments) (Austria) Order, 1956(g), and the Exchange Control (Payments) (Egyptian Monetary Area) Order, 1957(**h**), are hereby revoked.

6. This Order shall extend to the Channel Islands and 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.

7.—(1) This Order may be cited as the Exchange Control (Payments) Order, 1959.

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

8. This Order shall come into operation on the 12th day of March, nineteen hundred and fifty-nine.

Dated this 9th day of March, 1959.

Martin Redmayne,
Michael Hughes-Young,
Two of the Lords Commissioners of
Her Majesty's Treasury.

EXPLANATORY NOTE

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

This Order replaces the Exchange Control (Payments) Order, 1954 (as amended).

It simplifies the arrangements for transfers between accounts of persons resident outside the scheduled territories and the arrangements for payments for United Kingdom exports.

(**a**) S.I. 1954/325 (1954 I, p. 821). (**b**) S.I. 1954/1133 (1954 I, p. 828).
(**c**) S.I. 1954/1426 (1954 I, p. 829). (**d**) S.I. 1955/931 (1955 I, p. 829).
(**e**) S.I. 1955/1296 (1955 I, p. 828). (**f**) S.I. 1956/1163 (1956 I, p. 838).
(**g**) S.I. 1956/2087 (1956 I, p. 837). (**h**) S.I. 1957/819 (1957 I, p. 830). (**i**) 52 & 53 Vict. c. 63.