STATUTORY INSTRUMENTS

1970 No. 789

EXCHANGE CONTROL

The Exchange Control (Purchase of Foreign Currency) Order 1970

Made - - -	25*th May* 1970
Laid before Parliament	29*th May* 1970
Coming into Operation	1*st June* 1970

The Treasury, in exercise of the powers conferred upon them by sections 31 and 36(5) of the Exchange Control Act 1947**(a)**, hereby make the following Order:—

1.—(1) This Order may be cited as the Exchange Control (Purchase of Foreign Currency) Order 1970, and shall come into operation on 1st June 1970.

(2) In this Order the following expressions have the meanings hereby respectively assigned to them, that is to say:—

"cheque card" means a card issued by any of the banks specified in the Schedule to this Order to a customer guaranteeing, subject to the conditions and limitations stated thereon or otherwise communicated to holders of such cheque cards, that cheques drawn by that customer will, when presented for payment, be honoured; and

"travel expenditure" means expenditure of foreign currency incurred outside the United Kingdom and the Channel Islands on and in connection with travel outside the United Kingdom and the Channel Islands and does not include the use of foreign currency for any form of capital expenditure or investment outside the scheduled territories, and in particular does not include the use of foreign currency for the purchase of any freehold or leasehold land or building outside the scheduled territories or for the development, repair or maintenance thereof or for the payment of any deposit thereon or the use of foreign currency for the purchase of any securities or business outside the scheduled territories or for the purchase of any life or endowment assurance policy or the payment of any premium thereon or the purchase of any annuity.

(3) The Interpretation Act 1889**(b)** shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament and as if this Order and the Orders hereby revoked were Acts of Parliament.

2. There shall be exempted from the provisions of section 1(1) of the Exchange Control Act 1947 the purchase outside the United Kingdom and the Channel Islands of foreign currency with notes which—

(*a*) are or have at any time been legal tender in any territory which is part of the scheduled territories; and

(*b*) have been exported from the United Kingdom or the Channel Islands under the exemption granted by article 5(1)(i) of the Exchange Control (Import and Export) Order 1966**(c)** as amended **(d)**.

(a) 1947 c. 14. **(b)** 1889 c. 63. **(c)** S.I. 1966/1351 (1966 III, p. 3681).
(d) S.I. 1969/1883 (1969 III, p. 5825).

3. There shall be exempted from the provisions of the said section 1(1 the purchase outside the United Kingdom and the Channel Islands of foreig currency by any person who is the holder of a current cheque card issued to hir by any bank specified in the Schedule to this Order if the purchase is effected b means of a cheque expressed in sterling drawn by him, being a cheque draw in accordance with the conditions relating to, and within the limitations applyin to, the drawing of cheques stated on the drawer's cheque card or otherwis communicated to holders of such cheque cards by the issuing bank.

4. The exemptions from the said section 1(1) granted by this Order ar granted subject to the following conditions, namely that—

(*a*) the purchaser uses any foreign currency purchased under the sai exemptions for travel expenditure only; and

(*b*) any foreign currency so purchased which, when the purchaser ne returns to the United Kingdom or the Channel Islands, has not bee used as aforesaid shall not be retained by the purchaser for more tha one month after his said return.

5. There shall be exempted from the provisions of sections 5, 6 and 7 of th said Act any payment made by any bank specified in the Schedule to this Orde in the course of honouring any cheque used to purchase foreign currency unde the exemption granted by article 3 of this Order.

6. The Exchange Control (Purchase of Foreign Currency) Order 1965**(a)** an the Exchange Control (Purchase of Foreign Currency) (Amendment) Orde 1966**(b)** are hereby revoked.

7. This Order shall extend to the Channel Islands, and any reference in th Order to the Exchange Control Act 1947 includes a reference to that Act a extended by the Exchange Control (Channel Islands) Order 1947**(c).**

E. G. Perry,
Neil McBride,
Two of the Lords Commissioner of Her Majesty's Treasury.

25th May 1970.

(a) S.I. 1965/757 (1965 I, p. 2259). (b) S.I. 1966/1352 (1966 III, p. 3685).
(c) S.R. & O. 1947/2034 (Rev. VI, p. 1001: 1947 I, p. 660).

SCHEDULE

The banks specified for the purposes of articles 3 and 5 of this Order are the offices in the United Kingdom or the Channel Islands of the following banks, namely:—

Bank of Ireland.
Bank of Scotland.
Barclays Bank D.C.O.
Barclays Bank Ltd.
Belfast Banking Company, Ltd.
British Linen Bank.
Clydesdale Bank Ltd.
Coutts & Co.
Glyn, Mills & Co.
Hibernian Bank Ltd.
Isle of Man Bank Ltd.
Lewis's Bank Ltd.
Lloyds Bank Ltd.
Midland Bank Ltd.
Munster and Leinster Bank Ltd.
National Bank Ltd.
National Bank of Ireland Ltd., The.
National Westminster Bank Ltd.
Northern Bank Ltd.
Provincial Bank of Ireland Ltd.
Royal Bank of Ireland, Ltd.
Royal Bank of Scotland Ltd., The.
Ulster Bank Ltd.
Williams Deacon's Bank Ltd.
Williams & Glyn's Bank Ltd.
Yorkshire Bank Ltd.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order exempts from section 1(1) of the Exchange Control Act 1947 the purchase outside the United Kingdom and the Channel Islands by travellers resident here of foreign currency—

(*a*) with sterling or scheduled territories currency notes which they may export on their persons or in their baggage (this Order revokes and article 2 replaces the Exchange Control (Purchase of Foreign Currency) Order 1965 as amended); and

(*b*) by the encashment of sterling cheques if the traveller holds a cheque card issued by a bank specified in the Schedule and the cheque is drawn within the limits imposed on the use of the cheque card.

Both exemptions are subject to conditions limiting the use to which such foreign currency may be put to travel expenditure (as defined) and limiting the period for which it may be retained to one month after the traveller's return.

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