

THE DECIMAL CURRENCY AND LEGAL TENDER LAW, 1969
LAW 7 OF 1969

MEMORANDUM OF OBJECTS AND REASONS

This Law seeks to make provision in relation to the proposal to introduce a decimal currency system for The Cayman Islands. Parts II and III, which contain provisions for substituting the new currency for the existing currency, would not come into operation until a date to be fixed by the Administrator by Government Notice as the date of actual conversion. Part IV, which relates to arrangements for facilitating the introduction of the new currency, would come into operation forthwith, so as to enable the necessary preparatory arrangements to be made before conversion date.

CAYMAN ISLANDS

LAW 7 of 1969

I Assent,

(L.S.)

A.C.E. LONG
Administrator

21st August, 1969

A LAW entitled The Decimal Currency and Legal Tender
Law, 1969.

ENACTED BY The Legislature of the Cayman Islands.

PART I - PRELIMINARY

1. (1) This Law may be cited as The Decimal Currency
and Legal Tender Law, 1969. Short title
and com-
mencement.

(2) Parts II, III and V and the Schedule shall come Schedule
into operation on a day to be appointed by the Adminis-
trator by Government Notice published in the Cayman
Islands.

2. In this Law, unless the context otherwise requires Interpretation.
"Administrator" means the Administrator of the Cayman
Islands;
"bill of exchange", "cheque" and "promissory note" Cap. 11
have the same meanings as in the Bills of Exchange
Law;

“decimal currency of the Islands” means the decimal currency provided for in this Law, and “the decimal currency system” has a corresponding meaning;

“existing currency of the Islands” means the Jamaica Pound and its divisions, the Jamaica shilling and the Jamaica penny, at the passing of this Law, and “the existing currency system” has a corresponding meaning; “specified equivalents” means the equivalents specified in Section 8;

“the Bank” means the Bank of Jamaica as established under the Statutes of Jamaica.

PART II - CURRENCY AND LEGAL TENDER

Currency
of the
Islands.

3. From and after the coming into operation of this Part -

(1) The currency of the Islands shall be the decimal currency of Jamaica.

(2) The monetary unit, or unit of currency of the Islands shall be the dollar and the cent.

(3) The denominations of money in the currency of the Islands shall be the dollar and the cent.

(4) A cent shall be one hundredth part of a dollar.

Legal tender.

4. From and after the coming into operation of this Part and subject to subsections (2) and (3) of this Section -

(1) A tender of payment of money if made in any of the following respective notes and coins issued by the Bank shall be legal tender -

(a) in the case of notes, for the payment of any amount;

(b) in the case of coins of a denomination of not less than five cents, for the payment of an amount not exceeding five dollars; and

(c) in the case of coins of a denomination of less than five cents, for the payment of an amount not exceeding twenty cents.

(2) A coin that is bent, mutilated or defaced, or that that has been reduced in weight otherwise than by abrasion through ordinary use shall not be legal tender.

(3) A note that is mutilated or imperfect other than through ordinary use shall not be legal tender.

(4) The Administrator shall have power by Government Notice on the dates specified in such Notice to call in any notes or coins on payment of the face value thereof and any such notes or coins with respect to which a Notice has been given under this Section shall cease to be legal tender.

5. (1) Whosoever without lawful authority or excuse (the proof whereof shall lie on the person accused) mutilates, cuts, tears or perforates with holes any currency note which under this Law is made legal tender in the Islands, whether by writing, printing, drawing or stamping thereon, or by attaching in any way thereto anything in the nature or form of an advertisement shall be guilty of an offence.

Offence
and
penalty.

(2) Whosoever without lawful authority or excuse (the proof whereof shall be on the person accused) mutilates or perforates with holes any coin which under this Law is made legal tender in the Islands shall be guilty of an offence.

(3) Any person contravening the provisions of this section shall be liable on summary conviction to a fine not exceeding twenty pounds or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

6. (1) Except coins issued by the Bank, no piece of gold, silver, copper, bronze or any metal or mixed metal whatsoever, or any alloy of any such metal, shall be made or issued in the Islands as a coin or as a token for money or as purporting that the owner thereof is entitled to demand any value denoted thereon.

Limitation
to Jamaica
coinage.

(2) Any person contravening the provisions of this section shall be liable on summary conviction to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

7. Every contract, sale, payment, bill, note, instrument and security for money, and every transaction, dealing, matter and thing whatever relating to money or the liability to pay any money which is made, executed or en-

Contracts
etc. to be
in currency.

tered into, done or had, shall be made, executed, entered into, done and had according to the currency of the Islands and not otherwise unless they are made, executed, entered into, done or had according to the currency of some other country.

PART III - CONSEQUENTIAL, SUPPLEMENTAL AND TRANSITIONAL PROVISIONS

Equivalence.

8. The equivalent in the decimal currency of the Islands of one Jamaica pound in the existing currency is two dollars, the like equivalent of one Jamaica shilling is ten cents and the like equivalent of one Jamaica penny is five-sixths of a cent.

References to existing currency to be construed as references to decimal currency.

9. (1) Subject to the provisions of this Part, every reference in any law passed or made before the commencement of this Part, or in any deed, instrument, bill of exchange, cheque, promissory note, security for money or other document executed or made before such commencement or in any contract or agreement (whether the contract or agreement is in writing or not) entered into before such commencement and every reference made before such commencement in any other manner whatsoever, to an amount of money in the existing currency of the Islands shall, unless the context is such that it would be inappropriate, be read and construed as a reference to a corresponding amount of money in the decimal currency of the Islands, calculated on the basis of the specified equivalents.

(2) Where such a reference as is mentioned in subsection (1) is to a percentage or other proportion expressed in terms of money, the reference shall, unless the context is such that it would be inappropriate, be read and construed as a reference to an equivalent percentage or proportion expressed in terms of money in the decimal currency in the Islands.

(3) Notwithstanding anything to the contrary, the Administrator may by Government Notice provide that any specified reference in any specified law (whether passed or made before or after the commencement of this Part) or in any specified deed, instrument, security for money

or other document (whether executed or made before or after such commencement) or in any specified contract or agreement (whether in writing or not and whether entered into before or after such commencement) or in any other specified manner (whether made before or after such commencement) to an amount of money in the existing currency of the Island shall, with effect from a specified date, be read and construed as a reference to such amount of money in the decimal currency of the Islands as may be specified in the Notice in relation thereto, or that any such reference as aforesaid shall, with effect from a specified date, be read and construed as a reference to a corresponding amount of money in the decimal currency of the Islands, calculated on the basis of such equivalents as may be specified in the notice in relation thereto, and such notice shall thereupon have effect accordingly.

(4) The provisions of subsection (3) do not apply to bills of exchange, cheques or promissory notes.

(5) An order made under subsection (3) may contain such consequential, supplemental and ancillary provisions (including modifications of the provisions of this Part) as the Administrator may consider necessary or expedient for the purposes of the order.

(6) In this section and in section 10 of this Law "law" includes any instrument having the force of law.

10. Where a law passed or made before the commencement of this Part contains a form that refers to an amount of money in the existing currency of the Islands, or provides for an amount of money to be specified in that currency, a person using the form may fill it in in such a manner as to set forth the equivalent of that amount in the decimal currency of the Islands, calculated on the basis of the specified equivalents.

Forms.

11. (1) Where, before the commencement of this Part, a bill of exchange, cheque or promissory note is issued or made in the existing currency of the Islands, and the bill of exchange, cheque or promissory note is not paid before such commencement, any sum specified in it shall

Payment in decimal currency of bill of exchange, cheque or promissory note made in existing currency but not paid before conversion date.

be converted into the decimal currency of the Islands in accordance with subsection (2).

Schedule.

(2) The said sum shall be converted on the basis of the specified equivalents except that pence amounting to less than one shilling shall be converted into cents on the basis that an amount of pence specified in the first column of the Schedule corresponds to the amount of cents specified in the second column of the Schedule in relation thereto.

(3) Where any sum specified in such a bill of exchange, cheque or promissory note as is mentioned in subsection (1) of this Section is altered for the purpose of facilitating its negotiation, collection or payment, and the alteration is made in accordance with the provisions of this Section, the alteration shall not render the bill of exchange, cheque or promissory note void as against any party.

Payment of sum previously payable in existing currency by bill of exchange, cheque or promissory note made in decimal currency.

12. Where a bill of exchange cheque or promissory note issued or made in the decimal currency of the Islands is taken in respect of any sum that was payable in the existing currency of the Islands, the conversion of that sum into decimal currency shall be made in accordance with subsection (2) of Section 11.

Acknowledgements of payments during transitional period.

13. (1) Without prejudice to the provisions of Section 14 where, in respect of any payment it is necessary, by reason of the use of a machine or instrument that operates in the existing currency of the Islands, to provide an acknowledgement expressed in such currency, then notwithstanding the provisions of Section 7 such acknowledgement may, during the transitional period, be so expressed, and, if the payment was made in the decimal currency of the Islands, the reference in the acknowledgement to the sum paid shall be construed as a reference to the corresponding sum in the decimal currency of the Islands, calculated in accordance with subsection (2) of section 11.

(2) In subsection (1) "transitional period" means the period commencing on the commencement of this Part and ending on a date to be specified by the Administrator by Government Notice.

14. (1) If the Administrator by Government Notice so directs, any contract, sale, payment, bill, note, instrument and security for money specified in the Notice and any transaction, dealing, matter or thing whatever relating to money or the liability to pay any money that is so specified may be made, executed, entered into, done or had according to the existing currency of the Islands before a date specified in the Notice, being a date subsequent to the commencement of this Part.

Power of Administrator to permit transactions made in existing currency after conversion date.

(2) The provisions of subsection (1) do not apply to bills of exchange, cheques or promissory notes.

(3) A Government Notice published under subsection (1) of this section may be expressed to be subject to such conditions as may be specified therein and may contain such consequential, supplemental and ancillary provisions as the Administrator may consider necessary or expedient for the purposes of the Notice.

15. (1) Without prejudice to the provisions of section 14 of this Law, and notwithstanding the provisions of sections 4 and 7, a tender of payment of money is, subject to the provisions of section 16 of this Law, a legal tender if it is made in notes or coins which are legal tender in the Islands immediately before the commencement of this Part -

Concurrent legal tender.

(a) In the case of notes, for the payment of any corresponding amount of money payable in the decimal currency of the Islands, calculated on the basis of the specified equivalents;

(b) in the case of coins of the following denominations, namely, half-crown, two shillings, one shilling and sixpence, for the payment of a corresponding amount payable in the decimal currency of the Islands (calculated on the basis of the specified equivalent) not exceeding five dollars;

(c) in the case of coins of the following denominations, namely, three pence, one penny and one half-penny, for the payment of a corresponding amount payable in the decimal currency of the Islands (calculated on the basis of the specified equivalents) not exceeding twenty cents.

(2) Unless in respect of any transaction the parties otherwise agree, a tender of payment of coins of any of the following denominations, namely, threepence, one penny and one half-penny, shall, notwithstanding the provisions of paragraph (c) of subsection (1) of this section, only be a legal tender for the payment of an amount not exceeding twenty cents if several coins of one or more of those denominations are tendered in lots of a value of sixpence or a multiple thereof.

(3) Without prejudice to the provisions of section 14 of this Law, a tender of payment of money is, subject to the provisions of section 16 of this Law, a legal tender if it is made, as to part, in accordance with section 4 and, as to the remainder, in accordance with this section.

(4) A coin that is bent, mutilated or defaced, or that has been reduced in weight otherwise than by abrasion through ordinary use shall not be legal tender within the meaning of this section.

Demonetiza-
tion of exist-
ing currency.

16. Any notes and coins of the existing currency with respect to which a Government Notice has been given by the Administrator shall, on the date specified in such Notice and, notwithstanding the provisions of section 15 of this Law, cease to be legal tender.

PART IV - ARRANGEMENTS FOR FACILITATING THE INTRODUCTION OF THE DECIMAL CURRENCY SYSTEM

General
powers of
Administrator.

17. The Administrator may do such things, make such arrangements, and enter into such agreements as he considers necessary for the purpose of facilitating the transition from the existing currency system to the decimal currency system.

Closing of
banks.

18. (1) For the purpose of facilitating the transition from the existing currency system to the decimal currency system, the Administrator may, by Government Notice, appoint a day or days during which banks shall be closed to the public.

(2) Any Notice under this section may be made to

apply wholly or partly to all banks, or to any specified banks, or to any specified class or classes thereof, or to any specified branch or branches or premises or agency or agencies thereof.

(3) Every Notice under this section shall have effect, notwithstanding the provisions of any Law.

(4) The provisions of section 92 of the Bills of Exchange Law shall apply in relation to each day on which a bank is, by virtue of a notice under subsection (1) of this section, required to be closed (other than a Saturday) as if such day were a Saturday, but on any day on which a bank is so required to be closed a cheque may be presented by a bank for payment, and may be paid by the bank to which it is so presented and debited to the customer's account. Cap. 11

(5) In this section "bank" means a "Bank" as defined in the Banks and Trust Companies Regulation Law, 1966. Law No. 8
of 1966.

PART V - REPEAL

19. The Cayman Islands Currency and Legal Tender Law, 1965 is hereby repealed. Repeal.
Law No. 40
of 1965.

SCHEDULE

Conversion of pence to cents for purposes of sections 11, 12, and 13.

First Column	Second Column
Amount of pence	Amount of cents
1	1
2	2
3	2
4	3
5	4
6	5
7	6
8	7
9	8

First Column Amount of pence	Second Column Amount of cents
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10	8
11	9

Passed the Assembly this 12th day of August 1969.

A.C.E. LONG
President

SYBIL McLAUGHLIN
Clerk of the Legislative Assembly.

Government Notice 135 of 1969

Date of Operation:

(a) PARTS 1 AND IV - 25th August, 1969

(b) PARTS 11,111, V AND SCHEDULE: 8th September, 1969.