

The Metal Tokens Act, 1889

(ACT NO. I OF 1889)

¹♣An Act for the Protection of Coinage and other purposes

WHEREAS it is expedient to prohibit the making, or the possession for issue or the issue, by private persons, of pieces of metal for use as money;

²[* * *]

It is hereby enacted as follows:-

Title and extent

1.(1) This Act may be called the Metal Tokens Act, 1889.

(2) It extends to the whole of Bangladesh.

(3) [Repealed by section 3 and Schedule II of the Repealing and Amending Act, 1914 (Act No. X of 1914).]

Definition

2. In this Act “issue” means to put a piece of metal into circulation for the first time for use as money in Bangladesh such piece having been made in contravention of this Act or brought into Bangladesh by sea or by land in contravention of any notification for the time being in force under ³[section 16 of the Customs Act, 1969].

Prohibition of making by private persons of pieces of metal to be used as money

3. No piece of copper or bronze or of any other metal or mixed metal, which, whether stamped or unstamped, is intended to be used as money, shall be made except by the authority of the Government.

Penalty for unlawful making,

4. (1) In either of the following cases, namely:-

**Issue or
possession
of such
pieces**

- (a) if any person makes in contravention of the last foregoing section, or issues or attempts to issue, any such piece as is mentioned in that section,
- (b) if, after the expiration of three months from the commencement of this Act, any person has in his possession, custody or control any such piece as is mentioned in the last foregoing section, with intent to issue the piece, the person shall be punished,
- (i) if he has not been previously convicted under this section, with imprisonment which may extend to one year, or with fine, or with both; or,
- (ii) if he has been previously convicted under this section, with imprisonment which may extend to three years, or with fine, or with both.
- (2) If any person is convicted of an offence under sub-section (1), he shall, in addition to any other punishment to which he may be sentenced, forfeit all such pieces as aforesaid, and all instruments and materials for the making of such pieces, which may have been found in his possession, custody or control.
- (3) If in the trial of any such offence the question arises whether any piece of metal or mixed metal was intended to be used or to be issued for use as money, the burden of proving that the piece was not intended to be so used or issued shall lie on the accused person.

**Cognizance
of offences
under the
last
foregoing
section**

5. (1) The offence of making, in contravention of section 3, any such piece as is mentioned in that section shall be a cognizable offence.(2) Notwithstanding anything in the Code of Criminal Procedure, ⁴[1898] no other offence punishable under section 4 shall be a cognizable offence, or be taken cognizance of by any Magistrate, except a District Magistrate or Sub-Divisional Magistrate, without the previous sanction of the District Magistrate or Sub-Divisional Magistrate.

**Application
of certain of
the
foregoing
provisions
of this Act
to**

6. If at any time the Government sees fit, by notification under ⁵[section 16 of the Customs Act, 1969], to prohibit or restrict the bringing by sea or by land into Bangladesh of any such pieces of metal as are mentioned in section 3, it may by the notification direct that any person contravening the prohibition or restriction shall be liable to the punishment to which he