

# Bank Notes (Scotland) Act 1845

# **1845 CHAPTER 38 8 and 9 Vict**

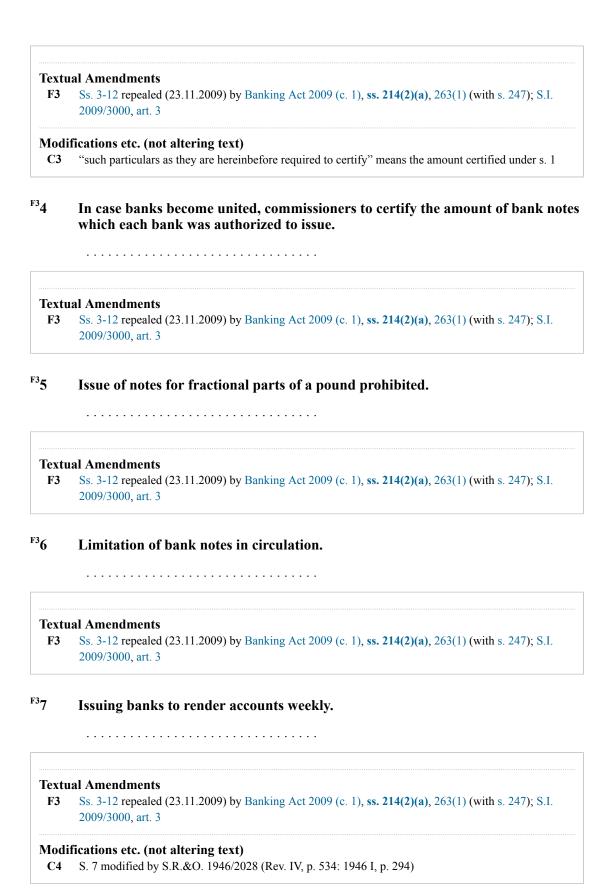
An Act to regulate the Issue of Bank Notes in Scotland.

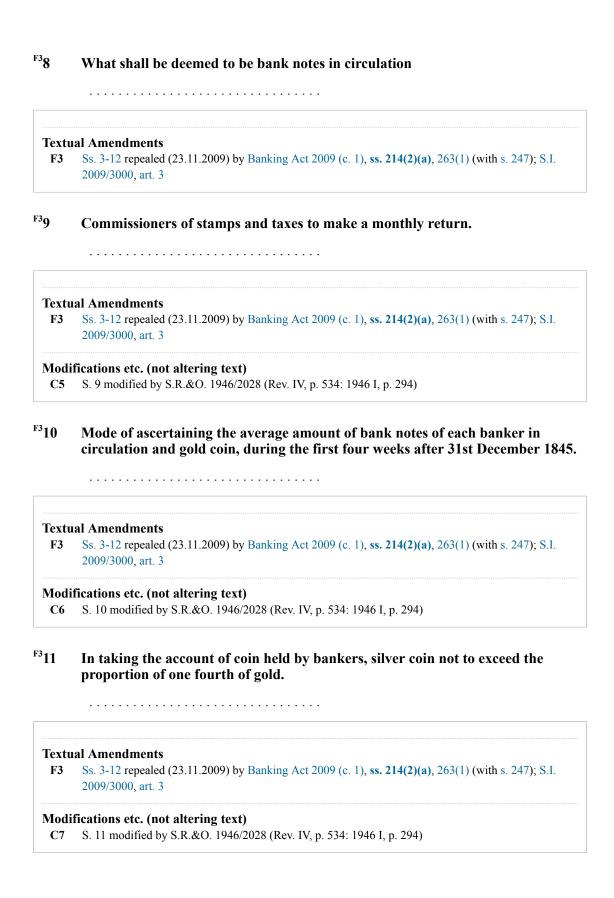
[21st July 1845]

# **Modifications etc. (not altering text)**

C1 Short title given by Short Titles Act 1896 (c. 14) Act amended by Stamp Act 1854 (c. 83), s. 11 and Coinage Act 1971 (c. 24), s. 12(2), Sch. 2

Commissioners to certify existing banks of issue and limitation of issue.
l Amendments
S. 1 repealed (23.11.2009) by Banking Act 2009 (c. 1), ss. 212(a), 214(2)(a), 263(1) (with s. 247); S.I. 2009/3000, art. 3
F2
l Amendments
S. 2 repealed by Statute Law Revision Act 1892 (c. 19)
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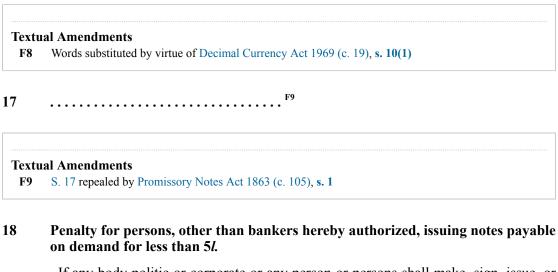
F312	[F4Commissioners of inland revenue] empowered to cause the books of bankers containing accounts of their bank notes in circulation, and of gold coin, to be inspected. Penalty for refusing to allow such inspection
Textu	nal Amendments
F3	Ss. 3-12 repealed (23.11.2009) by Banking Act 2009 (c. 1), <b>ss. 214(2)(a)</b> , 263(1) (with s. 247); S.I. 2009/3000, art. 3
F4	Words substituted by virtue of Inland Revenue Regulation Act 1890 (c. 21), s. 37(2)
Modi	fications etc. (not altering text)
C8	S. 12 modified by S.R.&O. 1946/2028 (Rev. IV, p. 534: 1946 I, p. 294)
С9	Recital omitted under authority of Statute Law Revision Act 1891 (c. 67)
13	F5
Textu	nal Amendments S. 13 repealed by Banking Act 1979 (c. 37, SIF 10), s. 51(2), Sch. 7
	5. 10 1-p-11-10 15 /5 (0.07, 511 10), 5. 01(2), 5011 /
<sup>F6</sup> 14	Penalty on banks issuing in excess.
Textu	nal Amendments
F6	S. 14 repealed (23.11.2009) by Banking Act 2009 (c. 1), <b>ss. 214(2)(a)</b> , 263(1) (with s. 247); S.I. 2009/3000, art. 3
15	F7
Textu	nal Amendments

# 16 Notes for less than 20s. not negotiable in Scotland.

S. 15 repealed by Currency and Bank Notes Act 1954 (c. 12), s. 4(2)

All promissory or other notes, bills of exchange, or drafts, or undertakings in writing, being negotiable or transferable, for the payment of any sum or sums of money, or any orders, notes, or undertakings in writing, being negotiable or transferable, for the delivery of any goods, specifying their value in money less than the sum of [F8 one pound] in the whole, heretofore made or issued, or which shall hereafter be made or issued in Scotland, shall be and the same are hereby declared to be absolutely void and of no effect, any law, statute, usage, or custom to the contrary thereof in anywise notwithstanding; and if any person or persons shall by any art, device, or means

whatsoever, publish or utter in Scotland any such notes, bills, drafts, or engagements as aforesaid for a less sum than [F8 one pound], or on which less than the sum of [F8 one pound] shall be due, and which shall be in anywise negotiable or transferable, or shall negotiate or transfer the same in Scotland, every such person shall forfeit and pay for every such offence any sum not exceeding twenty pounds nor less than five pounds, at the discretion of the justice of the peace who shall hear and determine such offence.



If any body politic or corporate or any person or persons shall make, sign, issue, or re-issue in Scotland any promissory note payable on demand to the bearer thereof for any sum of money less than the sum of five pounds, [F10] except banknotes issued in reliance on section 213 of the Banking Act 2009 ], then and in either of such cases every such body politic or corporate or person or persons so making, signing, issuing, or re-issuing any such promissory note as aforesaid, except as aforesaid, shall for every such note so made, signed, issued, or re-issued forfeit the sum of twenty pounds.





F1220 Not to prohibit checks on bankers.

#### **Textual Amendments**

F12 S. 20 repealed (23.11.2009) by Banking Act 2009 (c. 1), ss. 214(2)(a), 263(1) (with s. 247); S.I. 2009/3000, art. 3

#### 21 Mode of recovering penalties.

All pecuniary penalties under this Act may be sued or prosecuted for and recovered ...  $^{F13}$ , in respect of any penalty not exceeding twenty pounds, by information or complaint before one or more justice or justices of the peace in Scotland, in such and the same manner as any other penalties imposed by any of the laws now in force relating to the duties under the management of the  $I^{F14}$  commissioners of inland revenue]; ...  $I^{F13}$ 

#### **Textual Amendments**

- F13 Words repealed by Statute Law Revision Act 1892 (c. 19)
- F14 Words substituted by virtue of Inland Revenue Regulation Act 1890 (c. 21), s. 37(2)

### 22 Interpretation of Act.

the term "banker" shall extend and apply to all corporations, societies, partnerships, and persons, and every individual person carrying on the business of banking, whether by the issue of bank notes or otherwise; and the word "person" used in this Act shall include corporations; and the word "coin" shall mean the coin of this realm; and the singular number in this Act shall include the plural, and the plural number the singular, except where there is anything in the context repugnant to such construction; and the masculine gender in this Act shall include the feminine, except where there is anything in the context repugnant to such construction.

#### **Textual Amendments**

F15 Words repealed by Statute Law Revision (No. 2) Act 1893 (c. 54)

23 .....<sup>F10</sup>

#### **Textual Amendments**

F16 S. 23 repealed by Statute Law Revision Act 1875 (c. 66)

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Changes to legislation: There are currently no known outstanding effects for the Bank Notes (Scotland) Act 1845. (See end of Document for details)

# SCHEDULES TO WHICH THIS ACT REFERS

F17 SCHEDULE (A)

Section 7

#### **Textual Amendments**

F17 Sch. A repealed (23.11.2009) by Banking Act 2009 (c. 1), ss. 214(2)(a), 263(1) (with s. 247); S.I. 2009/3000, art. 3

...

F18SCHEDULE (B)

Section 9

#### **Textual Amendments**

**F18** Sch. B repealed (23.11.2009) by Banking Act 2009 (c. 1), **ss. 214(2)(a)**, 263(1) (with s. 247); S.I. 2009/3000, art. 3

...

# $^{\text{F19F19}}\text{SCHEDULE}\left(\text{C}\right),\left(\text{D}\right)$

#### **Textual Amendments**

F19 Schs. (C.), (D.) repealed by Promissory Notes Act 1863 (c. 105), s. 1

F19

# **Changes to legislation:**

There are currently no known outstanding effects for the Bank Notes (Scotland) Act 1845.