



# Forgery and Counterfeiting Act 1981

## 1981 CHAPTER 45

### PART II

#### COUNTERFEITING AND KINDRED OFFENCES

##### *Interpretation of Part II*

#### **27 Meaning of " currency note " and " protected coin "**

(1) In this Part of this Act—

" currency note " means—

(a) any note which—

(i) has been lawfully issued in England and Wales, Scotland, Northern Ireland, any of the Channel Islands, the Isle of Man or the Republic of Ireland ; and

(ii) is or has been customarily used as money in the country where it was issued; and

(iii) is payable on demand ; or

(b) any note which—

(i) has been lawfully issued in some country other than those mentioned in paragraph (a)(i) above; and

(ii) is customarily used as money in that country ; and

" protected coin " means any coin which—

(a) is customarily used as money in any country; or

(b) is specified in an order made by the Treasury for the purposes of this Part of this Act.

(2) The power to make an order conferred on the Treasury by subsection (1) above shall be exercisable by statutory instrument.

(3) A statutory instrument containing such an order shall be laid before Parliament after being made.

## **28 Meaning of " counterfeit"**

- (1) For the purposes of this Part of this Act a thing is a counterfeit of a currency note or of a protected coin—
  - (a) if it is not a currency note or a protected coin but resembles a currency note or protected coin (whether on one side only or on both) to such an extent that it is reasonably capable of passing for a currency note or protected coin of that description ; or
  - (b) if it is a currency note or protected coin which has been so altered that it is reasonably capable of passing for a currency note or protected coin of some other description.
- (2) For the purposes of this Part of this Act—
  - (a) a thing consisting of one side only of a currency note, with or without the addition of other material, is a counterfeit of such a note;
  - (b) a thing consisting—
    - (i) of parts of two or more currency notes; or
    - (ii) of parts of a currency note, or of parts of two or more currency notes, with the addition of other material,is capable of being a counterfeit of a currency note.
- (3) References in this Part of this Act to passing or tendering a counterfeit of a currency note or a protected coin are not to be construed as confined to passing or tendering it as legal tender.