

MEMORANDUM FOR THE CABINET
BY THE HON. MINISTER OF JUSTICE

International Convention for the suppression
of Counterfeit Currency

In a Circular Despatch dated 7th December, 1935, H.M. Government brought to the attention of the Government the Counterfeit Currency (Convention) Act 1935 wherein H.M. Government was making such amendments of the U.K. law as to enable the Convention to be ratified on behalf of the United Kingdom. It was suggested that local Governments might wish in the light of the action taken by H.M. Government, to review the position of their legislation as "it is not possible to accede to the Convention on behalf of Colonial Governments unless their legislation conforms to the rules contained in the Convention". A reply to the effect that the position was being studied was given in February 1938 and again in February 1939.

2. No final reply was returned to the Secretary of State who raised the question again in September, 1958. In March, 1960, a reminder was received to the effect that the U.K. Government intended, in the first six months of that year, to ratify the Convention on its behalf and a decision one way or the other was necessary in respect of Colonial Governments.

3. After further study of the question the Attorney General's Office has come to the conclusion that the rarity of counterfeit offences in the Island is such as not to warrant the necessary amendments which the application of the Convention would require. Our Law as it stands provides ample protection against coinage offences and Ordinance No. 1 of 1949, modelled on English legislation, covers paper currency offences. The Hon. Minister of Justice agrees with this view.

4. Hon. Ministers may wish to say whether they agree that the Secretary of State should be informed that since (a) Maltese law provides ample protection against coinage and paper currency offences, (b) no coinage offences have occurred since 1939 and (c) there may be practical difficulties in the way of adopting some of the formalities of the Convention to their full extent, the Government of Malta does not consider it necessary to accede to this Convention.

3rd October, 1962.