

Government Circular No. 46/71.
G.O. Reference No. N.2304/71.

ISLE OF MAN

SOCIAL SECURITY

THE NATIONAL INSURANCE AND INDUSTRIAL INJURIES
(ISLE OF MAN) (STAMPS) REGULATIONS 1970.

Approved by resolution of Tynwald on 19th January, 1971.

BSS 9

I, Sir Peter Hyla Gawne Stallard, K.C.M.G., C.V.O., M.B.E., Lieutenant Governor of the Isle of Man, in exercise of the powers conferred on me by section 7(2) of the National Insurance (Isle of Man) Act 1948 and section 62 of the National Insurance (Industrial Injuries) (Isle of Man) Act 1948 and of all other powers enabling me in that behalf, hereby make the following regulations —

ADAPTATION OF ENACTMENTS

1. —Those provisions of the Stamp Management Act 1936 (as amended by any subsequent enactment), which with the necessary adaptations for applying them to stamps prepared and issued for the purposes of the National Insurance (Isle of Man) Act 1948 and the National Insurance (Industrial Injuries) (Isle of Man) Act 1948, are set out in the Schedule hereto, shall apply to the said stamps.

COMMENCEMENT AND CITATION

2. —These Regulations shall come into operation on 25th January 1971 and may be cited as the National Insurance and Industrial Injuries (Isle of Man) (Stamps) Regulations 1970.

INTERPRETATION

3. —The Interpretation Act 1970 applies to the interpretation of these Regulations as it applies to the interpretation of an Act of Tynwald.

Given under my hand this 22nd day of December, 1970.

P. H. G. STALLARD,

Lieutenant Governor.

PRICE : 7p.

SCHEDULE
STAMP MANAGEMENT ACT 1936

| Section of Act | Subject matter | Adapted provisions |
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| 2 | Definitions. | <p>In the provisions of this Act, unless the context otherwise requires :—</p> <p>The expression "Board" means Isle of Man Board of Social Security.</p> <p>.....</p> <p>The expression "Board" means Isle contribution payable under the National Insurance (Industrial Injuries) (Isle of Man) Act 1948 or the National Insurance (Isle of Man) Act 1948, and directed to be made by means of stamps. The expression "material" includes every sort of material upon which words or figures can be expressed.</p> <p>.....</p> <p>The expression "die" includes any plate, type, tool or implement used under the direction of the Governor for expressing, or denoting that any fee, duty or other sum has been paid and also any part of any such plate, type, tool or implement.</p> <p>The expressions "forge" and "forged" include counterfeit and conterfeited.</p> <p>The expression "stamp" means in relation to stamps prepared and issued for the purposes of the National Insurance (Isle of Man) Act 1948 and adhesive stamp, and in relation to stamps prepared and issued for the purposes of the National Insurance (Industrial Injuries) (Isle of Man) Act 1948 an adhesive stamp or a stamp impressed by means of a die.</p> <p>The expression "stamped" is applicable as well to instruments and material impressed with stamps by means of a die as to instruments and material having adhesive stamps affixed thereto.</p> <p>The expression "justice" means justice of the peace.</p> |
| 4 | Power to grant licences to deal in stamps. | <p>(2) The Board may in its discretion grant a licence to any person to deal in stamps issued by the Board at such places and subject to such conditions as the Board may approve.</p> <p>.....</p> <p>(5) One licence only shall be required for any number of persons in partnership, and the licence may at any time be revoked by the Board.</p> |
| 5 | Penalty for unauthorised dealing in stamps etc. | <p>(1) If any person deals in any manner in stamps, without being licensed so to do he shall for every such offence incur a fine of twenty pounds.</p> <p>(2) If any person who is not duly authorised to sell or licensed to deal in</p> |

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| 6 | Provisions as to determination of licence. | <p>stamps, has, or puts upon his premises either in the inside or on the outside thereof, or upon any board or any material whatever exposed to public view, and whether the same be affixed to his premises or not, any letters importing or intending to import that he sells or is authorised to sell or that he deals in stamps, or is licensed so to do, he shall incur a fine of ten pounds.</p> <p>(1) If the licence of any person to deal in stamps expires or is revoked, or if any person licensed to deal in stamps dies or becomes bankrupt, and any such person at the expiration or revocation of his licence, or at the time of his death or bankruptcy, has in his possession any stamps, such person, or his executor or administrator, or the receiver or trustee under his bankruptcy, may, within six months after the expiration or revocation of the licence, or after the death or bankruptcy, as the case may be, bring or send the stamps to the Board.</p> <p>(2) The Board may in any such case pay to the person bringing or sending stamps the amount of the face value thereof if proof to the Board's satisfaction is furnished that the same were actually in the possession of the person whose licence has expired or been revoked, or so dying or becoming bankrupt, for the purpose of sale, at the time of the expiration or revocation of the licence or of his death or bankruptcy, and that the stamps were purchased or procured by that person from the Board or from some person duly appointed to sell and distribute stamps, or duly licensed to deal in stamps.</p> |
| 7 | Penalty for hawking stamps. | <p>(1) If any person, whether licensed to deal in stamps or not, hawks or carries about for sale or exchange any stamps, he shall, in addition to any other fine or penalty to which he may be liable, be liable to a fine of twenty pounds.</p> <p>(2) All stamps which are found in the possession of the offender shall be forfeited, and shall be delivered to the Board to be disposed of as the Board considers fit.</p> |
| 9 | Procedure for obtaining allowance. | <p>Subject to such regulations as the Governor may think proper to make, and to the production of such evidence by statutory declaration or otherwise as the Board may require, allowance is to be made by the Board for stamps spoiled in the case hereinafter mentioned (that is to say) :—.....</p> <p>(2) Any stamp which has been inadvertently and undesignedly spoiled or rendered unfit for use and has not in</p> |

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| | | <p>the opinion of the Board been affixed to any material ;</p> <p>.....</p> <p>Provided that the application for relief is made within two years after the stamp has been spoiled or become useless.</p> |
| 10 | Allowance, how to be made. | <p>In any case in which allowance is made for spoiled or misused stamps the Board may give in lieu thereof other stamps of the same denomination and value, or if required and the Board considers proper, stamps of any other denomination to the same amount in value, or in the Board's discretion, the same value in money.</p> |
| 11 | Stamps not wanted may be re-purchased. | <p>When any person is possessed of a stamp which has not been spoiled or rendered unfit or useless for the purpose intended, but for which he has no immediate use, the Board may, if the Board considers fit, repay to him the value of the stamp in money, upon his delivering up the stamp to be cancelled, and proving to the satisfaction of the Board that it was purchased by him from some person duly appointed to sell and distribute stamps, or only licensed to deal in stamps, within the period of two years next preceding the application and with a bona-fide intention to use it.</p> |
| 13 | Certain offences in relation to stamps. | <p>Every person who does, or causes or procures to be done, or knowingly aids, abets or assists in doing any of the acts following, that is to say:—</p> <ol style="list-style-type: none"> <li data-bbox="565 1028 855 1056">(1) Forges a die or stamp ; <li data-bbox="565 1065 1013 1112">(2) Prints or makes an impression upon any material with a forged die ; <li data-bbox="565 1127 1013 1193">(3) Fraudulently prints or makes an impression upon any material from a genuine die ; <li data-bbox="565 1208 1013 1301">(4) Fraudulently cuts, tears, or in any way removes from any material any stamp, with intent that any use should be made of such stamp or of part thereof ; <li data-bbox="565 1316 1013 1382">(5) Fraudulently mutilates any stamp, with intent that any use should be made of any part of such stamp ; <li data-bbox="565 1397 1013 1557">(6) Fraudulently fixes or places upon any material or upon any stamp, any stamp or part of a stamp which, whether fraudulently or not, has been cut, torn, or in any way removed from any other material, or out of or from any other stamp . <li data-bbox="565 1572 1013 1725">(7) Fraudulently erases or otherwise either really or apparently removes from any stamped material any name, sum, date or other matter or thing whatsoever thereon written, with intent that any use should be made of the stamp upon such material ; |

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| | | <p>(8) Knowingly sells or exposes for sale or utters or uses any forged stamp or any stamp which has been fraudulently printed or impressed from a genuine die ;</p> <p>(9) Knowingly, and without lawful excuse (the proof whereof shall lie on the person accused) has in his possession any forged die or stamp or any stamp which has been fraudulently printed or impressed from a genuine die, or any stamp or part of a stamp which has been fraudulently cut, torn, or otherwise removed from any material, or any stamp which has been fraudulently mutilated or any stamped material out of which any name, sum, date or other matter or thing has been fraudulently erased or otherwise either really or apparently removed.</p> <p>shall be guilty of an offence and shall on conviction be liable to be imprisoned for any term not exceeding fourteen years.</p> |
| 16 | Proceedings for detection of forged dies, etc. | <p>On information given before a justice upon oath that there is just cause to suspect any person of being guilty of any of the offences aforesaid, such justice may, by warrant under his hand, cause every house, room, shop, building or place belonging to or occupied by the suspected person, or where he is suspected of being or having been in any way engaged or concerned in the commission of any such offence, or of secreting any machinery, implements, or utensils applicable to the commission of any such offence, to be searched, and if upon any such search any of the said several matters and things are found, the same may be seized and carried away, and shall afterwards be delivered over to the Board.</p> |
| 17 | Proceedings for detection of stamps stolen or obtained fraudulently. | <p>(1) Any justice in the place where any stamps are known or supposed to be concealed or deposited, may, upon reasonable suspicion that the same have been stolen or fraudulently obtained, issue his warrant for the seizure thereof and for apprehending and bringing before himself or any other justice the person in whose possession or custody the stamps may be found, to be dealt with according to law.</p> <p>(2) If the person does not satisfactorily account for the possession of the stamps, or it does not appear that the same were purchased by him from some person duly appointed to sell and distribute stamps or duly licensed to deal in stamps, the stamps shall be forfeited and shall be delivered over to the Board.</p> <p>(3) Provided that if at any time within six months after the delivery any person</p> |

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| 18 | Licensed person in possession of forged stamps. | <p>makes out to the satisfaction of the Board that any stamps so forfeited were stolen or otherwise fraudulently obtained from him, and that the same were purchased by him from some person duly appointed to sell or distribute stamps, or duly licensed to deal in stamps, such stamps may be delivered up to him.</p> <p>(1) If any forged stamps are found in the possession of any person appointed to sell and distribute stamps, or being or having been licensed to deal in stamps, that person shall be deemed and taken, unless the contrary is satisfactorily proved, to have had the same in his possession knowing them to be forged and with intent to sell, use or utter them, and shall be liable to the punishment imposed by law upon a person selling, using, uttering or having in possession forged stamps knowing the same to be forged.</p> <p>(2) If any justice has cause to suspect any such person of having in his possession any forged stamps, he may by warrant under his hand authorise any person to enter between the hours of nine in the morning and seven in the evening into any house, room, shop or building of or belonging to the suspected person, and if on demand of admittance, and notice of the warrant, the door of the house, room, shop or building, or any inner door thereof, is not opened, the authorised person may break open the same and search for and seize any stamps that may be found therein or in the custody or possession of the suspected person.</p> <p>(3) All police constables are hereby required, upon request of any person so authorised, to aid and assist in the execution of the warrant.</p> <p>(4) Any person who —</p> <p>(a) refuses to permit any such search or seizure to be made as aforesaid, or</p> <p>(b) Assaults, opposes, molests or obstructs any person so authorised in the due execution of the powers conferred by this section or any person acting in his aid or assistance,</p> <p>and any police constable who, upon any such request as aforesaid, refuses or neglects to aid or assist any person so authorised in the due execution of his powers shall incur a fine of fifty pounds.</p> |

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| 19 | Mode of proceeding where stamps are seized. | Where stamps are seized under a warrant, the person authorised by the warrant shall, if required, give to the person in whose custody or possession the stamps are found an acknowledgment of the number, particulars and amount of the stamps, and permit the stamps to be marked before the removal thereof. |
| 20 | As to defacement of adhesive stamps. | Every person who by any writing in any manner defaces any stamp before it is used shall incur a penalty of five pounds. Provided that any person may, with the express sanction of the Board and in conformity with the conditions which the Board may prescribe, write upon or otherwise appropriate a stamp before it is used for the purpose of identification thereof. |
| 22 | Mode of granting licences. | Any licence to be granted by the Board under this or any other Act for the time being in force relating to stamps may be granted by such officer or person as the Board may authorise in that behalf. |
| 23 | Recovery of fines. | All fines to which a person may be liable under this Act shall be recovered on summary conviction. |

EXPLANATORY NOTE

(This Note is not part of the Regulations)

The regulations apply the provisions of the Stamp Management Act 1936 (as amended by subsequent enactments to national insurance stamps. These are stamps by means of which contributions under the National Insurance (Isle of Man) Act, 1948 and the National Insurance (Industrial Injuries) (Isle of Man) Act 1948 are paid.