



Bangladesh Bank (Note Refund) Regulations - 2012

**Department of Currency
Management
BANGLADESH BANK**



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Management
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**These Regulations are approved by the Board of Directors of
Bangladesh Bank in 334th Meeting held on 27 November 2012**

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Bangladesh Bank
Head Office
Dhaka

NOTIFICATION

Circular No. 2012-04

Dated the 10 December 2012

The following Regulations made by the Board of Directors of Bangladesh Bank under Article 82(I) of the Bangladesh Bank Order, 1972 (President's Order No.127 of 1972) are hereby published for general information. These Regulations shall come into force with immediate effect.

Bangladesh Bank
Head Office
Dhaka

**THE BANGLADESH BANK (NOTE REFUND)
REGULATIONS - 2012**

In exercise of powers conferred by clause 82 (1) of the Bangladesh Bank Order 1972 (President's Order No. 127 of 1972) The Board of Directors of Bangladesh Bank makes the following Regulations prescribing the circumstances in, and the conditions and limitations subject to which the value of any mutilated or imperfect note may be refunded as of grace.

1. Short Title:

These Regulations may be called the "Bangladesh Bank (Note Refund) Regulations – 2012.

2. Date of enforcement:

These Regulations shall come into force with immediate effect.

3. Definition:

In these Regulations, unless there is anything repugnant in the subject or context:-

- a) **"Altered Note"** means a note in which an alteration has been made in the number, signature or value or in any other respect;
- b) **"Appellate Authority"** means and includes the Currency Officer or the Officer equivalent to currency officer of an Office of Bangladesh Bank authorized by the Head Office to dispose of appeals for reconsideration received in the Office in respect of the cases rejected by the "Prescribed Officer" of the said Office. The Appellate Authority will have the same power as prescribed in these Regulations for the Prescribed Officer;
- c) **"Bank"** means the Bangladesh Bank constituted by the Bangladesh Bank Order - 1972 (President's Order No. 127 of 1972);
- d) **"Charred Note"** means a note which is burnt or having sign of burn partially or wholly;
- e) **"Damp Note"** means a note which is wet partly or fully, or so weak that the note(s) can be easily broken or torn when counted or handled;
- f) **"Deformed and Decomposed Note"** means a note which has been deformed or disfigured or vitiated or decomposed by anyway or by writing with ink or other materials on the note(s);
- g) **"Essential Features"** means the features, including security features, which are necessary for the identification of a note, namely-
 - (i) the name of the issuing authority in Bangla and/or English, that is; Bank or Government of Bangladesh, as the case may be;
 - (ii) the guarantee clause in Bangla and/or in English;

- (iii) the signature; and
- (iv) the water-mark of Tiger head/ National Flower Shapla (Water lily)/ Portrait of the father of the nation Bangabandhu Sheikh Mujibur Rahman, Logo of Bangladesh Bank and the denomination of the note, as the case may be.

Explanation: For the purposes of this clause,

- (A) the security features of a note, for deciding the genuineness or otherwise, include,
 - (i) paper quality;
 - (ii) size and shape of numbers;
 - (iii) security thread;
 - (iv) intaglio printing;
 - (v) latent image in vertical band;
 - (vi) electrotpe watermark (in watermark window);
 - (vii) micro lettering;
 - (viii) fluorescence (number panels and central band);
 - (ix) optically variable ink; and
 - (x) any other security feature that may be introduced by the Bank.
- (B) the essential features of a note have been enumerated with a view to help the prescribed officer to establish the genuineness or otherwise of a mutilated note;
- h) "Half Note"** means half of a note which has been divided vertically or horizontally through or near the centre. A note formed by joining one half, which is identifiable, to another half, which is not identifiable as belonging to the note to which first mentioned half belongs, will not be accepted as a single note but will be treated as two half notes;
- i) "Mismatched note"** means a note formed by joining a half note of one note to a half note of another note.

- j) **"Mutilated note"** means a note of which a portion is missing or a note which is composed of pieces, provided that the note presented is clearly more than half a note in area and that if the note is composed of pieces of a note joined together, each piece is, in the opinion of Prescribed Officer, identifiable as the part of the same note.
- k) **"Note"** means a note of the Bangladesh Bank issued by the Bank and a currency note of the Government of the People's Republic of Bangladesh issued by the Government.
- l) **"Number"** includes the letter (s) and number (s) denoting the series to which the note belongs;
- m) **"Obliterated Note"** means a note, not being a mutilated or altered or mismatched note, which has become or has been rendered fully or partially undecipherable;
- n) **"Office of Issue"** means the Issue Department of the Bank situated at Dhaka.
- o) **"Prescribed Officer"** means and includes the Deputy General Manager/Joint Manager or equivalent officer of the Office of Issue and other offices of Bangladesh Bank, designated by the concerned office.

4. General provisions in relation to all claims:

- (i) No Claim in respect of a note alleged to have been lost, stolen or wholly destroyed shall be entertained.
- (ii) No claim in respect of a note, shall be entertained by the Prescribed Officer unless such a note is identified as a genuine note.
- (iii) No claim in respect of a note which has been deliberately cut, torn, defaced, altered or dealt with in any other manner, not necessarily by the claimants, enabling the use of the same for making of a false claim under these regulations or otherwise to defraud the Bank or the public shall be entertained.
- (iv) No claim in respect of a note, which carries any extrinsic words or visible representations intended to convey or capable of conveying any message of a political or religious character or furthering the interest of any person or entity shall be entertained.

- (v) If the Prescribed Officer is satisfied that a mutilated note presented before him is one which appears to have been cancelled at any office of Bangladesh Bank or the claim is one which appears to have already been paid under these regulations, he shall, after making enquiries under regulation 6 of these regulations reject the claim on such note.
- (vi) If any information called for by the Prescribed Officer or the Bank, as the case may be, is not furnished by a claimant within a period of three months from the date of receipt of the notice or letter asking for the information, the claim shall be rejected.

5. Presentation of claims and disposal thereof:

A claim in respect of a note may be presented at the Office of Issue or any other Office of the Bank. The claim shall be settled by the office of the Bank where the note is stamped with the word “দাবীযোগ্য”. The claim shall be disposed of within eight weeks.

6. Inquiry of claims:

The Prescribed Officer may, if it is considered necessary so to do, call for any information or hold any inquiry relating to any claim presented before him under these regulations, and where the genuineness of the note is doubtful, he may if considered necessary send such doubtful note for expert opinion to the Security Printing Corporation Bangladesh Limited for this purpose.

7. Time limit to claims:

If it appears to the Prescribed Officer, enjoying powers under these Regulations to entertain the claim, that any claim was not made by the claimant within 12 months of the time when it might first have been made by him, the Prescribed Officer shall not entertain the claim.

8. Disposal of claim concerning half note:

Half the value of a half note shall be paid if the number of the note is identified on the half note and the half note is entire and has not been divided and bears all the essential features of that half.

9. Disposal of mutilated note(s):

No Claim in respect of a mutilated note shall be entertained unless the single largest piece of the note presented is more than 50%. Where the single largest piece is more than 50% the payment shall be made in the following manner, namely:

- (i) Full value shall be payable if the area of the note presented is more than 90% of the respective denomination.
- (ii) Proportionate value shall be payable if the area of the note presented is more than 50% and less than or equal to 90% of the respective denomination as under:

Serial No.	Area of the note of respective denomination	Payable value of the note of respective denomination
1.	51% - 75%	50%
2.	76% - 90%	75%

10. Disposal of obliterated, mismatched, altered and damp notes:

- (i) A claim in respect of an altered, mismatched or fully obliterated note shall be rejected.
- (ii) A claim in respect of a damp note and partially obliterated note shall be rejected unless the Prescribed Officer is satisfied as to the identity and genuineness of such note.

11. Disposal of Charred note(s):

A claim for the value of Charred note(s) shall be disposed of by a committee designated by Head Office. The committee shall be headed by the Currency Officer/General Manager and the members not below the rank of Joint Manager. No claim in respect of charred note shall be entertained unless the unburnt area of the note(s) is more than 50%, bearing main essential features and is worth to check its genuineness.

The Value shall be payable at the rate stipulated in sub regulation i & ii of regulation 9.

12. Disposal of Fraudulent claims:

If a note or any portion of a note presented under these Regulations in prosecution of a claim, is a forged/fake or has been deliberately cut, torn, defaced, altered or dealt with in any manner with a view to establishing a false claim under these Regulations or otherwise to defraud, notwithstanding anything to the contrary in any of these Regulations, shall be rejected.

13. Retention and destruction of notes:

Notwithstanding the denomination of a note or the decision of the Prescribed Officer on the claim, a note presented before the Prescribed Officer for the purpose of making a claim shall be retained and destroyed or otherwise disposed of by the Bank in the following manner, namely-,

- (a) in the case of a note in respect of which full payment is made, at any time after the payment; and
- (b) in the case of a note in respect of which no payment is made, or on which half value payment has been made, on the expiry of a period of three months from the date of the decision rejecting the claim or to pay half-value, as the case may be, unless within this period, an order from a competent Court or any Appellate Authority is submitted to any office of the Bank restraining the Bank from destroying or otherwise disposing of the said note.

14. Appeal for claim:

A claimant aggrieved by the decision of the Prescribed Officer may file an application to the Appellate Authority for reconsideration of his/her claim within a period not exceeding three months from the date of decision of the Prescribed Officer.

15. Procedure when payee is untraced:

Where, as the result of a claim under these Regulations, the value of the note(s) is payable to a claimant, and such claimant, or if he/she is dead, his/her legal representative cannot be found or fails within a period of three months from the date of communication to him/her of the decision, to take steps to receive payment, the amount payable shall be paid by the


Issue Department of the Bank to the Banking Department of the Bank.

16. Repeal:

- (a) The Bangladesh Bank (Note Refund) Regulations 1976 is hereby repealed;
- (b) Notwithstanding the repeal of The Bangladesh Bank (Note Refund) Regulations 1976 all claims received prior to the coming into force of these Regulations shall be dealt with in accordance with The Bangladesh Bank (Note Refund) Regulations 1976.



Governor



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Dcp: 02-2013-4000, Printed by : Color Campus, Tel: 9555741, 9564941, Cell : 01713-036386