

TRANSLATION

Consolidated Act on Foreign-Exchange Regulations, etc. (Foreign-Exchange Act)

Consolidated Act No. 279 of 11/04/1988 (In force)

[Subsequent amendments to the Order](#)

[Full text of the Order](#)

Consolidated Act on Foreign-Exchange Regulations, etc.

(Foreign Exchange Act)

Promulgation of Act No. 372 of 23 December 1964 on Foreign Exchange Regulations, etc, as amended by Act No. 213 of 9 June 1965, Act No. 247 of 9 June 1967, Act No. 285 of 6 June 1984, cf. Consolidated Act No. 83 of 21 February 1986, and Act No. 855 of 23 December 1987.

Part 1

On the redeemability of Danmarks Nationalbank's banknotes

- 1.** The Royal Bank Commissioner may exempt Danmarks Nationalbank from the obligation to redeem the banknotes issued by Danmarks Nationalbank with gold, and to purchase gold, whereby the access to redeem coinage with gold also lapses.
- 2.** The Royal Bank Commissioner may after consultation with the Minister of Finance, on behalf of the central government conclude an agreement with Danmarks Nationalbank that specifies the more detailed terms of the exemption from the obligation to redeem Danmarks Nationalbank's banknotes with gold, and to purchase gold, described in Section 1.

(2) In the agreement, Danmarks Nationalbank shall be obliged, for as long as it does not redeem its banknotes with gold, to act in accordance with the Royal Bank Commissioner with regard to Danmarks Nationalbank's trading in foreign exchange and matters related thereto.

(3) The guidelines for the foreign-exchange policy to be conducted while the Act is in force shall be determined as agreed between Danmarks Nationalbank and the Royal Bank Commissioner.

Part 2

On measures regarding the import and export of goods

3. The Minister for Industry shall seek to discontinue the regulation of imports existing on the entry into force of the Act to the extent that the consideration of trade policy interests, as well as ensuring reasonable terms of competition for Danish business and industry, or Denmark's international agreements or cooperation, do not present impediments to such discontinuation.

(2) On the basis of the considerations stated in subsection (1) the Minister for Industry may on a temporary basis transfer goods to an embargo list. However, such transfer may only take place with the approval of the committee described in Section 13, unless the Minister for Industry deems that such transfer cannot await due deliberation without prejudicing the intended purposes. In such case the Minister for Industry shall inform the committee as soon as possible of the measures taken.

4. The Minister for Industry shall lay down rules for the Danish Agency of Industry and Trade's (Industri- og Handelsstyrelsen) issue and use of import licences.

(2) The Minister for Industry may stipulate that the preparation of import licences shall be subject to an administration fee that may not exceed 21/2 per thousand of the nominal amount of the licence, although the minimum administration fee for each licence shall be kr. 2.

5. Authorisation by the Minister for Industry shall be required for the private exchange of goods with abroad.

(2) The Minister may appoint a committee with representatives from the principal industries to submit recommendations in cases concerning notification of the licences described in subsection (1).

6. The Minister for Industry may, on the basis of trade policy or supply considerations, or in view of Denmark's international agreements or cooperation, take temporary measures to regulate the export of goods from Denmark. However, it may not pursuant to this provision be laid down that such export shall take place via a central export body.

(2) With regard to goods that are primarily related to the Ministry of Agriculture or the Ministry of Fisheries, the measures described in subsection (1) shall be taken by the relevant minister.

Part 3

On external payments, etc.

7. The Minister for Industry may, after negotiation with Danmarks Nationalbank, and after consultation with the Minister of Finance, the Minister of Taxes and Excise, the Minister of Foreign Affairs, the Minister of Agriculture, the Minister of Fisheries, and the Royal Bank Commissioner, lay down regulations concerning the purchase and sale of, or other transactions relating to, foreign exchange, payments to or from abroad or for foreign account, due payment dates and other payment terms, as well as the transfer to and from Denmark of money, bills of exchange, cheques and securities, including coupons, etc.

(2) In accordance with the procedure set out in subsection (1), the Minister for Industry may prescribe that gold, both minted and unminted, or money, receivables, bills of exchange, cheques and securities, including coupons, etc. denominated in foreign exchange that are owned by natural persons, business enterprises, or legal entities that are domiciled or conduct activities in Denmark, shall be offered for purchase to Danmarks Nationalbank or those so authorised by Danmarks Nationalbank, as well as the rules for transfer of ownership of such assets.

8. In accordance with the procedure set out in Section 7(1) the Minister for Industry may lay down regulations for the transfer and delivery of securities, including coupons, and for the sale and purchase of securities, including coupons, by natural persons, business enterprises, or legal entities that are not domiciled or conduct business activities in Denmark.

(2) In accordance with the procedure set out in Section 7(1) the Minister for Industry may lay down regulations concerning capital accounts of any type, including the pledging of collateral and the receipt of collateral, vis-à-vis natural persons, business enterprises or legal entities that are not domiciled or conduct activities in Denmark.

Part 4

On the administration of the Act

9. Should the Minister for Industry allocate powers under the Act to the Agency for Industry and Trade, the Minister may lay down rules concerning access to appeal, including that appeals may not be brought before the highest administrative authority.

10. (Repealed).

11. (Repealed).

12. After consultation with the Minister of Foreign Affairs, the Minister of Agriculture and the Minister of Fisheries, the Minister for Industry may appoint an advisory board to the government on economic issues that are governed by this Act.

13. The Folketing (Parliament) shall from among its member elect a committee of 17 members. The Minister concerned shall report to this committee on the significant measures taken pursuant to the provisions of the Act.

14. The Minister for Industry may require information concerning Denmark's economic relations with abroad, as well as information concerning stocks of goods in Denmark, and concerning domestic turnover and production, to be submitted. Such requirements may also be issued by the Minister of Agriculture or the Minister of Fisheries, cf. Section 6 (2).

(2) The Minister may furthermore require all information necessary to achieve the objectives of the Act.

Part 5

Penalties, period of validity and scope of the Act

15. A person who submits incorrect or misleading information as the basis for decisions governed by this Act, or who in connection with an application for an authorisation or permit pursuant to the Act fails to submit information of significance to the resolution of the matter, shall be subject to the penalty of a fine, or a period of mitigated or unmitigated imprisonment for up to 2 years.

(2). The same penalty shall apply to any person who violates Section 5 (1), or fails to comply with terms set out in an authorisation or permit pursuant to the Act.

(3). Should the violations described in subsections (1) and (2) be due to negligence, the penalty shall be a fine.

(4). A person who fails to submit the information requested pursuant to Section 14 shall be subject to the penalty of a fine.

(5). Regulations issued pursuant to Sections 3, 4, 6, 7 and 8 may lay down the penalty of a fine, or a period of mitigated or unmitigated imprisonment of up to 2 years, for violation of provisions of the regulations. Violations due to negligence may, however, only be subject to the penalty of a fine.

(6). For violations by public limited liability companies, cooperative societies, or similar the company as such may be liable to a fine.

(7). (Repealed).

(8). (Repealed).

16. Cases relating to violation of this Act or regulations laid down pursuant to this Act shall be handled by the police. The legal remedies set out in Part 68, Part 69, Part 71 and Part 72 of the Danish Administration of Justice Act shall apply to the cases concerned to the same extent as to cases that in accordance with the ordinary rules are prosecuted by the Attorney General.

17. This Act shall enter into force on 1 January 1965.

(2). The provisions laid down in accordance with the previous legislation on economic measures, supplies of goods, etc., and concerning foreign-exchange regulations, etc., shall remain in force until repealed by the relevant minister.

18. Parts 2 and 4 of the Act shall not be in force in the Faroe Islands.

(2) The Act shall not be in force in Greenland.

(3) The Act or some of its provisions may, however, by Royal Ordinance be enforced in Greenland, subject to the deviations made appropriate by conditions in Greenland.

Act No. 855 of 23 December 1987 contains the following provision concerning entry into force:

The Act shall enter into force on 1 January 1988.

Ministry of Industry, 11 April 1988

NILS WILHJELM

/Hendrik Boesgaard

[Official notes](#)

None