

# Gold Regulations

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THE DEPARTMENT OF THE TREASURY Office of the Secretary

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**AUTHORITY:** The provisions of this Part 54 issued under sec. 5, 40 Stat. 415, as amended, secs. 3, 8, 9, 11, 48 Stat. 340, 341, 342; 12 U.S.C. 95a, 31 U.S.C. 442, 733, 734, 822b, E.O. 6260, Aug. 28, 1933, as amended by E.O. 10896, E.O. 10905, E.O. 11037; 3 CFR, 1959-1963 Comp. and E.O. 6359, Oct. 25, 1933, E.O. 9193, as amended; 3 CFR, 1943 Cum. Supp., E.O. 10289; 3 CFR, 1949-1953 Comp., unless otherwise noted.

**SOURCE:** The provisions of this Part 54 appear at 19 F.R. 4309, July 14, 1954, as amended at 26 F.R. 9551, Oct. 10, 1961, unless otherwise noted.

**Subpart A—General Provisions****§ 54.1 Authority for regulations.**

By virtue of and pursuant to:

- (a) The authority vested in the Secretary of the Treasury by the Gold Reserve Act of 1934, approved January 30, 1934 (48 Stat. 337; 31 U. S. C. 440), and the authority with respect to the approval of regulations issued thereunder which the President of the United States has delegated to the Secretary of the Treasury in paragraph 2 (d) of Executive Order No. 10289 of September 17, 1951 (16 F. R. 9501; 3 CFR, 1951 Supp.) and

(b) The authority which the President of the United States has delegated to the Secretary of the Treasury by Executive Orders Nos. 6260 of August 28, 1933 (31 CFR 1938 ed. Part 50), 6359 of October 25, 1933 and 9193 of July 6, 1942, as amended (7 F. R. 5205; 3 CFR, 1943 Cum. Supp.), which delegations were made by the President of the United States by virtue of and pursuant to the authority vested in him by section 5 (b) of the act of October 6, 1917 (40 Stat. 415), as amended by section 2 of the act of March 9, 1933 (48 Stat. 1), and title III, section 301 of the "First War Powers Act, 1941" (55 Stat. 839; 12 U. S. C. 95a), and all other authority vested in him, the following regulations, entitled "Gold Regulations," deemed in the public interest and necessary and proper to carry out the purposes of said acts and Executive orders, are issued by the Secretary of the Treasury.

#### § 54.2 General provisions.

(a) *Scope.* Sections 54.12 to 54.35 refer particularly to section 3 of the Gold Reserve Act of 1934, as amended, and to Executive Order No. 6260 of August 28, 1933, sections 4, 5, and 6 of the Executive Order No. 6359, of October 25, 1933, and Executive Order No. 9193 of July 6, 1942, as amended.

(b) *Delivery requirements of 1933 gold orders.* Executive Order 6102 of April 5, 1933, Executive Order 6260 of August 28, 1933, (31 CFR 1936 ed. Part 50), and the order of the Secretary of the Treasury of December 28, 1933, as amended and supplemented, required that, with certain exceptions, all persons subject to the jurisdiction of the United States deliver to the United States gold coins, gold bullion and gold certificates situated in the United States and held or owned by such persons on the dates of such orders. Gold coins having a recognized special value to collectors of rare and unusual coin, including all gold coins made prior to April 5, 1933, and gold certificates of the type issued before January 30, 1934, have been exempted from such delivery requirement. The regulations in this part do not alter or affect in any way the requirements under said orders to deliver gold bullion,

and gold bullion required to be delivered pursuant to such orders is still required to be delivered and may be received in accordance with the Instructions of the Secretary of the Treasury of January 17, 1934 (§ 53.1 of this chapter), subject to the rights reserved in such instructions.

(c) *Effect of authorizations and licenses.* (1) A general authorization contained in, or a license issued pursuant to the regulations in this part, permitting the acquisition, holding, transporting, melting or treating, importing, exporting or earmarking of gold, constitutes within the limits and subject to the terms and conditions thereof a license issued under and pursuant to Executive Order No. 6260 of August 28, 1933, for such acquisition, holding, transporting, etc.

(2) Any authorization in the regulations in this part, or in any license issued hereunder to acquire, hold, transport, melt or treat, import or export gold in any form shall not be deemed to authorize, unless it specifically so provides, the acquisition, holding, transporting, melting or treating, importing, or exporting of the following:

(i) Any gold coin (except rare gold coin as defined in § 54.20) or any gold melted by any person from gold coin subsequent to April 5, 1933.

(ii) Any gold which has been held at any time in noncompliance with the acts, the orders, or any regulations, rulings, instructions or licenses issued thereunder, including the regulations in this part, or in noncompliance with section 3 of the act of March 9, 1933, or any orders, regulations, rulings, or instructions issued thereunder.

(d) *Revocation or modification.* The provisions of this part may be revoked or modified at any time and any license outstanding at the time of such revocation or modification shall be modified thereby to the extent provided in such revocation or modification.

(Sec. 3, 48 Stat. 2; 12 U.S.C. 248) [19 F.R. 4309, July 14, 1954; 26 F.R. 9551, Oct. 10, 1961, as amended at 29 F.R. 5557, Apr. 25, 1964; 33 F.R. 5794, Apr. 16, 1968]

#### § 54.3 Titles and subtitles.

The titles in this part are inserted for purposes of ready reference and are not to be construed as constituting a part of the regulations in this part.

## § 54.4 Definitions.

(a) As used in this part, the terms:

(1) "The acts" means the Gold Reserve Act of 1934, as amended, and section 5 (b) of the act of October 6, 1917, as amended by section 2 of the act of March 9, 1933 and Title III, section 301 of the "First War Powers Act, 1941" approved December 18, 1941.

(2) "The orders" means Executive Orders Nos. 6260 of August 28, 1933; 6359 of October 25, 1933; and 9193 of July 6, 1942, as amended.

(3) "United States" means the Government of the United States or where used to denote a geographical area, means the States of the United States, the District of Columbia, and all other places subject to the jurisdiction of the United States.

(4) "States of the United States" means the States of the United States and the District of Columbia.

(5) "Person" means any individual, partnership, association, or corporation, including the Board of Governors of the Federal Reserve System, Federal Reserve banks, and Federal Reserve agents.

(6) "Mint" means a United States mint or assay office, and wherever authority is conferred upon a "mint" such authority is conferred upon the person locally in charge of the respective United States mint or assay office acting in accordance with the instructions of the Under Secretary of the Treasury for Monetary Affairs or his delegate or the Secretary of the Treasury.

(7) "Gold coin" means any coin containing gold as a major element, including gold coin of a foreign country.

(8) "Gold bullion" means any gold which has been put through a process of smelting or refining, and which is in such state or condition that its value depends primarily upon the gold content and not upon its form; the term "gold bullion" includes, but not by way of limitation, semi-processed gold and scrap gold, but it does not include fabricated gold as defined in this section, metals containing less than 5 troy ounces of fine gold per short ton, or unmelted gold coin.

(9) Fabricated and semi-processed gold:

(i) "Fabricated gold" means processed or manufactured gold in any form (other than gold coin or scrap gold) which:

(a) Has a gold content the value of which does not exceed 90 percent of the total domestic value of such processed or manufactured gold; and

(b) Has, in good faith, and not for the purpose of evading or enabling others to evade the provisions of the acts, the orders, or the regulations in this part, been processed or manufactured for some one or more specific and customary industrial, professional or artistic uses.

(ii) "Semi-processed gold" means processed or manufactured gold in any form (other than gold coin or scrap gold) which:

(a) Has a gold content the value of which exceeds 90 percent of the total domestic value of such processed or manufactured gold; and

(b) Has, in good faith, and not for the purpose of evading or enabling others to evade the provisions of the acts, the orders, or the regulations in this part, been processed or manufactured for some one or more specific and customary industrial, professional or artistic uses.

(iii) The value of the gold content of an article shall be computed for the purposes of this subparagraph at the cost to the manufacturer of the gold in the article.

(iv) For the purpose of this subparagraph, the total domestic value of processed or manufactured gold shall be based on the cost to the owner and not the selling price. The allowable elements of such value are:

(a) In the case of a manufacturer or processor, only the cost of material in the article, labor performed on the article, and processing losses and overhead applicable to the manufacture or processing of such article; and

(b) In the case of a dealer or other person who holds or disposes of gold without further processing, only the net purchase price paid by such person, including transportation costs, if any, incurred in obtaining delivery of such article to his usual place of business.

(10) "Scrap gold" means gold filings, clippings, polishings, sweepings and the like and any other melted or unmelted scrap gold, semiprocessed gold or fabricated gold, the value of which depends primarily upon its gold content and not upon its form, which is no longer held for the use for which it was processed or manufactured.

(11) "Gold in its natural state" means gold recovered from natural sources which has not been melted, smelted, or refined, or otherwise treated by heating or by a chemical or electrical process.

(12) "Hold", when used with reference to gold includes actual or constructive possession of or the retention of any interest, legal or equitable, in such gold.

(13) "Person subject to the jurisdiction of the United States" means:

(i) Any individual who is a citizen of the United States;

(ii) Any individual, wheresoever located, who is a resident of, or domiciled in, the United States;

(iii) Any partnership, association, corporation, or other organization which is organized or doing business under the laws of the United States or of any state or territory thereof or of the District of Columbia;

(iv) Any partnership, association, corporation, or other organization, wheresoever organized or doing business, which is controlled, or a substantial part of the stock, shares, bonds, debentures, notes, drafts, or other securities or obligations of which, is owned or controlled, directly or indirectly, by persons specified in subdivision (i), (ii), or (iii) of this subparagraph.

(14) "Customary industrial, professional or artistic use" means the use of gold in industry, profession or art, in a manner, for a purpose, in a form, and in quantities in which gold is customarily used in industry, profession or art. Without limitation, the following are not deemed to be customary industrial, professional or artistic uses of gold:

(i) The plating of any coins.

(ii) The manufacture of any gold medals other than special award medals, or

(iii) The acquisition, holding, transportation, importation or exportation of any gold-plated coins or gold medals other than special award medals.

(15) "Possessions of the United States" means Guam, the Virgin Islands, American Samoa, Midway Islands, Wake Island, Johnston Island, and Sand Island, Swan Island and the other Island Possessions of the United States.

(b) Wherever reference is made in this part to equivalents as between dollars or currency of the United States and gold, \$1 or \$1 face amount of any currency of the United States equals fifteen and five twenty-firsts ( $15\frac{5}{21}$ ) grains of gold, nine-tenths fine.

(c) Wherever reference is made in this part to "sections", the reference is, unless otherwise indicated, to the designated sections of this part.

[19 F.R. 4309, July 14, 1954, as amended at 25 F.R. 12346, Dec. 2, 1960; 26 F.R. 323, Jan. 17, 1961; 28 F.R. 910, Jan. 31, 1963; 28 F.R. 8289, Aug. 13, 1963; 30 F.R. 10885, Aug. 21, 1965; 33 F.R. 5794, Apr. 16, 1968]

#### § 54.5 General provisions affecting applications, statements, and reports.

Every application, statement, and report required to be made under this part shall be made upon the appropriate form prescribed by the Secretary of the Treasury. Action upon any application or statement may be withheld pending the furnishing of any or all of the information required in such forms or of such additional information as may be deemed necessary by the Secretary of the Treasury, or the agency authorized or directed to act under this part. There shall be attached to the applications, statements, or reports such instruments as may be required by the terms thereof and such further instruments as may be required by the Secretary of the Treasury, or by such agency.

#### § 54.6 General provisions affecting licenses and authorizations.

(a) Licenses issued pursuant to the regulations in this part shall be upon the appropriate form prescribed by the Secretary of the Treasury. Licenses shall be nontransferable and shall entitle the licensee to acquire, hold, transport, melt or treat, import, export, or earmark gold

only in such form and to the extent permitted by, and subject to the conditions prescribed in the regulations in this part and such licenses.

(b) Revocation or modification of licenses:<sup>1</sup> Licenses may be modified or revoked at any time in the discretion of the Under Secretary of the Treasury for Monetary Affairs or his delegate. In the event that a license is modified or revoked (other than by a modification or revocation of the regulations in this part), the Under Secretary of the Treasury for Monetary Affairs or his delegate shall advise the licensee by letter, mailed to the last address of the licensee on file in the Treasury Department. The licensee, upon receipt of any notice from the Director of modification or revocation of license, shall forthwith surrender his license as directed. If the license has been modified but not revoked, the Under Secretary of Treasury for Monetary Affairs or his delegate shall thereupon issue or cause to be issued a modified license.

(c) Exclusions: The Under Secretary of the Treasury for Monetary Affairs or his delegate may exclude particular persons or classes thereof from the operation of any section of the regulations in this part (except §§ 54.28 to 54.30, inclusive) or licenses issued thereunder or from the privileges therein conferred. Such action shall be binding upon all persons receiving actual notice or constructive notice thereof. Any violation of the provisions of the regulations in this part or any license issued hereunder, shall constitute, but not by way of limitation, grounds for such exclusion.

(d) Requests for reconsideration: A written request for reconsideration of a denial of an application for a license, of a revocation, suspension, or modification of an existing license, or of an exclusion from the authorizations or privileges conferred in any section of the regulations in this part setting forth in detail the reasons for such request, may be addressed to the Under Secretary of the Treasury for Monetary Affairs, Treasury Department, Washington, D.C., 20220. In addition, upon written request, the Under Secretary or his delegate will schedule a hearing in the matter at which time there may be brought to the attention of the Treasury Department any information bearing thereon.

(e) No license issued hereunder shall exempt the licensee from the duty of complying with the legal requirements of any State or local authority.

(f) No license shall be issued to any person doing business under a name which in the opinion of the Secretary of the Treasury or the designated agency issuing the license, is designed or is likely to induce the belief that gold is purchased, treated, or sold on behalf of the United States or for the purpose of carrying out any policy of the United States. [19 F.R. 4309, July 14, 1954, as amended at 25 F.R. 12346, Dec. 2, 1960; 33 F.R. 5794, Apr. 16, 1968]

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<sup>1</sup> Regulations governing procedures for denying an application for a license, for revoking, suspending or modifying a license, and for excluding any person from the privileges conferred in the regulations in this part are set forth in § 93.10 of this chapter.

**§ 54.7 General provisions affecting export licenses.<sup>2</sup>**

(a) At the time any license to export gold is issued, the Office of Domestic Gold and Silver Operations or Federal Reserve bank issuing the same, shall transmit a copy thereof to the collector of customs at the port of export designated in the license or, if the port of export is not within the customs territory of the United States, to the government officer at such port charged with the enforcement of laws relating to the exportation of merchandise from the United States. No collector of customs or other government officer charged with the enforcement of laws relating to the exportation of merchandise from the United States shall permit the export or transportation from the States of the United States to the Possessions of the United States, to Puerto Rico, to the Canal Zone, or to places not subject to the jurisdiction of the United States or the export or transportation from the Possessions of the United States, from Puerto Rico or from the Canal Zone to places not subject to the jurisdiction of the United States of gold in any form except upon surrender of a license to export, a copy of which has been received by him from the agency issuing the same except that licenses on Form TGL-15 (general) covering multiple shipments during a six-months' period are retained by the licensee until the expiration of such period when they are returned to the Director, Office of Domestic Gold and Silver Operations: *Provided, however*, That the export or transportation from the States of the United States, the Possessions of the United States,

Puerto Rico and the Canal Zone of fabricated gold may be permitted pursuant to § 54.25(b)(2) and the export or transportation from the States of the United States, the Possessions of the United States, Puerto Rico and the Canal Zone of gold imported for reexport may be permitted pursuant to §§ 54.32 and 54.33: *And provided further*, That gold held by the Federal Reserve banks under §§ 54.28 to 54.30, may be exported or transported for the purposes of such sections without a license. The collector of customs or other government officer to whom a license to export is surrendered shall cancel such license and return it to the Director, Office of Domestic Gold and Silver Operations or the Federal Reserve bank which issued the same. In the event that the shipment is to be made by mail, a copy of the export license shall be sent by the agency issuing the same to the postmaster of the post office designated in the application, who will act under the instructions of the Postmaster General in regard thereto.

(b) This section shall not apply to exports of gold authorized under § 54.25(b). [28 F.R. 8289, Aug. 13, 1963, as amended at 33 F.R. 4677, Mar. 19, 1968]

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<sup>2</sup> The regulations in this part shall not be construed as relieving any person from the obligation of compliance with the regulations of the Bureau of International Commerce (formerly the Office of International Trade) (15 CFR Parts 363 to 399), the Bureau of Customs (19 CFR Ch. I) or other laws or regulations relating to the importation or exportation of merchandise, where applicable to imports or exports of gold, or articles containing gold.



### § 54.8 General provisions affecting import licenses.

No gold in any form imported into the United States shall be permitted to enter until the person importing such gold shall have satisfied the collector of customs at the port of entry that he holds a license authorizing him to import such gold or that such gold may be imported without a license under the provisions of §§ 54.12 to 54.21, inclusive, or §§ 54.28 to 54.30, inclusive. Postmasters receiving packages containing gold will deliver such gold subject to the instructions of the Postmaster General.

### § 54.9 Forms available.

Any form, the use of which is prescribed in this part, may be obtained at, or on written request to, any United States mint or assay office, or the Under Secretary of the Treasury for Monetary Affairs or his delegate, Treasury Department, Washington, D.C., 20220.

### § 54.10 Representations by licensees.

Licensees may include in public and private representations or statements the clause "licensed on form TGL----- (here inserting the number of the form of license held by the licensee) pursuant to the regulations issued by the Secretary of the Treasury," but any representation or statement which might induce the belief that the licensee is acting or is especially privileged to act on behalf of or for the United States, or is purchasing, treating, or selling gold for the United States, or in any way dealing in gold for the purpose of carrying out any policy of the United States, shall be a violation of the conditions of the license.

(a) *Business names and representations generally.* No person doing business under a name which is designed or is likely to induce the belief that gold is being purchased, treated, or sold on behalf of the United States, or any agency thereof, or for the purpose of carrying out any policy of the United States, or making representations or statements which might induce the belief that such person is acting or is especially privileged to act on behalf of or for the United States, or is purchasing, treating, or selling gold for the United States, or

in any way dealing in gold for the purpose of carrying out any policy of the United States, may acquire, hold, transport, melt, or treat, import, export or earmark any gold under authority of §§ 54.12 to 54.20, inclusive, or §§ 54.21 to 54.27, inclusive.

### § 54.11 Civil and criminal penalties.

(a) *Civil penalties.* Attention is directed to section 4 of the Gold Reserve Act of 1934, which provides:

Any gold withheld, acquired, transported, melted or treated, imported, exported, or earmarked or held in custody, in violation of this Act or of any regulations issued hereunder, or licenses issued pursuant thereto, shall be forfeited to the United States, and may be seized and condemned by like proceedings as those provided by law for the forfeiture, seizure, and condemnation of property imported into the United States contrary to law; and in addition any person failing to comply with the provisions of this Act or of any such regulations or licenses, shall be subject to a penalty equal to twice the value of the gold in respect of which such failure occurred (31 U. S. C. 443).

(b) *Criminal punishment.* Attention is also directed to (1) section 5 (b) of the act of October 6, 1917, as amended, which provides in part:

Whoever wilfully violates any of the provisions of this subdivision or of any license, order, rule or regulation issued thereunder, shall, upon conviction, be fined not more than \$10,000 or, if a natural person, may be imprisoned for not more than ten years, or both; and any officer, director, or agent of any corporation who knowingly participates in such violation may be punished by a like fine, imprisonment, or both. As used in this subdivision the term "person" means an individual, partnership, association, or corporation (12 U. S. C. 95a (3)).

This section of the act of October 6, 1917, as amended, is applicable to violations of any provisions of this part and to violations of the provisions of any license, ruling, regulation, order, direction, or instructions issued by or pursuant to the direction or authorization of the Secretary of the Treasury pursuant to the regulations in this part or otherwise under section 5 (b) of the act of October 6, 1917, as amended.

(2) Section 1001 of the United States Criminal Code, which provides:

Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and wilfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than five years, or both (18 U. S. C. 1001).

**Subpart B—Conditions Under Which Gold May Be Acquired and Held, Transported, Melted or Treated, Imported, Exported or Earmarked**

**§ 54.12 Conditions under which gold may be acquired, held, melted, etc.**

Gold in any form may be acquired, held, transported, melted or treated, imported, exported, or earmarked only to the extent permitted by and subject to the conditions prescribed in the regulations in this part or licenses issued thereunder.

**§ 54.13 Transporting or holding gold in safekeeping.**

(a) Carriers are authorized to transport gold for persons who are either licensed or who are otherwise permitted by the regulations in this part to hold and transport gold.

(b) Banks and other persons are authorized to provide facilities for the safekeeping of gold lawfully held pursuant to a license issued under this part or otherwise permitted to be held by the regulations in this part.

[33 F.R. 5794, Apr. 16, 1968]

**§ 54.14 Gold situated outside of the United States.**

(a) Gold in any form situated outside of the United States may be acquired, held, transported, melted or treated, or earmarked by or on behalf of persons subject to the jurisdiction of the United States only to the extent permitted by licenses relating to the legitimate and customary use of gold in industry, profession, or art issued under § 54.25: *Provided, however*, The provisions of §§ 54.16, 54.17, and 54.19, relating to fabricated gold, metals containing gold and gold in its natural state, respectively, shall be applicable to the acquisition,

holding and transportation of gold in such forms outside of the United States by or on behalf of persons subject to the jurisdiction of the United States.

(b) The acquisition, holding, transportation, importing and exporting, by persons subject to the jurisdiction of the United States, of securities issued by any person holding, as a substantial part of his assets, gold as a store of value or as, or in lieu of, money and not for a specific and customary industrial, professional or artistic use, is prohibited.

[27 F.R. 6974, July 24, 1962]

**§ 54.15 Transportation of gold to the possessions of the United States.**

Gold may be transported from the States of the United States to the possessions of the United States, to Puerto Rico and to the Canal Zone only as authorized by §§ 54.25, 54.32, 54.33 or 54.34 or licenses issued pursuant thereto.

[28 F.R. 8290, Aug. 13, 1963]

**§ 54.16 Fabricated gold.**

Fabricated gold as defined in § 54.4 may be acquired, held, transported within the United States or imported without the necessity of holding a license therefor. Fabricated gold may be exported only as authorized in § 54.25 or in a license issued pursuant to that section.

**§ 54.17 Metals containing gold.**

Metals containing not more than 5 troy ounces of fine gold per short ton may be acquired, held, transported within the United States, or imported without the necessity of holding a license therefor. Such metals may be melted or treated, and exported only to the extent permitted by and subject to the conditions prescribed in or pursuant to §§ 54.21 to 54.27, inclusive.

**§ 54.18 Unmelted scrap gold.**

Unmelted scrap gold may be acquired, held, transported within the United States, or imported, in amounts not exceeding at any one time 50 fine troy ounces of gold content without the necessity of holding a license therefor. Persons holding licenses issued pursuant to § 54.25 (a), or acquiring, transporting, importing or holding gold pursuant to § 54.21, may not acquire, transport, import or hold any gold under authority of this section.

### § 54.19 Gold in its natural state.

(a) Gold in its natural state, as defined in § 54.4, may be acquired, transported within the United States, imported, or held in custody for domestic account only, without the necessity of holding a license therefor.

(b) Gold amalgam which results from the addition of mercury to gold in its natural state, recovered from natural deposits in the United States or a place subject to the jurisdiction thereof, may be heated to a temperature sufficient to separate the mercury from the gold (but not to the melting temperature of gold) without a license by the person who recovered the gold from such deposits, or his duly authorized agent or employee. The retort sponge so resulting may be held and transported by such person without a license: *Provided, however,* That no such person may hold at any one time an amount of such retort sponge which exceeds in fine gold content 200 troy ounces. Such retort sponge may be acquired from such persons:

(1) [Reserved];

(2) By persons holding licenses issued pursuant to § 54.25(a);

(3) By other persons provided that the aggregate amount of such retort sponge acquired and held by such other persons does not exceed at any one time 200 fine troy ounces of gold content.

(c) Persons acquiring retort sponge under paragraph (b)(3) of this section are authorized to dispose of such retort sponge only to persons holding licenses issued pursuant to § 54.25(a).

(d) Except as provided in §§ 54.12 to 54.20, inclusive, and in §§ 54.32 and 54.33, gold in its natural state may be melted or treated or exported only to the extent permitted by, and subject to the conditions prescribed in, or pursuant to, §§ 54.21 to 54.27, inclusive.

[19 F.R. 4309, July 14, 1954, as amended at 33 F.R. 4677, Mar. 19, 1968]

### § 54.20 Rare coin.

(a) Gold coin of recognized special value to collectors of rare and unusual coin may be acquired, held, and transported within the United States without the necessity of holding a license therefor. Such coin may be imported, however, only as permitted by this section or §§ 54.28 to 54.30, 54.34 or licenses issued thereunder, and may be exported only in accordance with the provisions of § 54.25.

(b) Gold coin made prior to 1934 is considered to be of recognized special value to collectors of rare and unusual coin.

(c) Gold coin made during or subsequent to 1934 is presumed not to be of recognized special value to collectors of rare and unusual coin.

(d) Gold coin made prior to 1934, may be imported without the necessity of obtaining a license therefor.

(e) Gold coin made during or subsequent to 1934 may be imported only pursuant to a specific or general license issued by the Director, Office of Domestic Gold and Silver Operations. Licenses under this paragraph may be issued only for gold coin made prior to 1960, which can be established to the satisfaction of the Director to be of recognized special value to collectors of rare and unusual coin and to have been originally issued for circulation within the country of issue. Licenses may be issued for gold coin made during or subsequent to 1960 in cases where the particular coin was licensed for importation prior to April 30, 1969. Application for a specific license under this paragraph shall be executed on Form TG-31 and filed in duplicate with the Director. [34 F.R. 6982, April 26, 1969]

### § 54.21 Fifty ounce exemption for processors.

(a) Subject to the conditions in paragraph (b) of this section, any person regularly engaged in an industry, profession, or art, who requires gold for legitimate, customary, and ordinary use therein, may, without the necessity of obtaining a Treasury gold license:

(1) Import gold or acquire gold in any form from any person authorized to hold and dispose of gold in such form and amount under the regulations in in this part or a license issued pursuant hereto;

(2) Hold, transport, melt, and treat such gold;

(3) Furnish unmelted scrap gold to persons operating pursuant to §§ 54.18 or 54.21, or to the holder of a license issued pursuant to § 54.25(a); and

(4) Furnish melted scrap gold to the holder of a license issued pursuant to § 54.25(a) which authorizes the acquisition of such melted scrap gold.

(b) The privileges of paragraph (a) of this section are granted subject to the following conditions:

(1) That the aggregate amount of such gold acquired, held, transported, melted and treated, and imported, does not exceed, at any one time, 50 fine troy ounces of gold content (not including gold which may be acquired, held, etc., without a license under any other section of this part, except § 54.18);

(2) That the aggregate amount of such gold acquired, held, transported, melted and treated, and imported, does not exceed, in any calendar month 350 fine troy ounces of gold content (not including gold which may be acquired, held, etc., without a license under any other section of this part, except § 54.18);

(3) That such gold is acquired and held only for processing into fabricated gold, as defined in § 54.4, by such person in the industry, profession, or art in which he is engaged; and

(4) That full and exact records are kept and furnished in compliance with § 54.26.

(c) Persons acquiring, holding, transporting, melting and treating, and importing gold under authority of this section are not authorized:

(1) To consign gold bullion, including semi-processed gold, to other persons for processing except that scrap gold may, for processing and return in semi-processed form, be consigned to the holder of a license issued pursuant to § 54.25 (a), which authorizes the acquisition and melting and treating of such gold;

(2) To furnish melted scrap gold to persons operating pursuant to the provisions of this section or § 54.18;

(3) To dispose of gold held under authority of this section otherwise than in the form of fabricated gold or scrap gold.

(d) Persons holding licenses issued pursuant to § 54.25 (a) or acquiring, holding, transporting, or importing, gold pursuant to § 54.18 may not acquire, hold, transport, melt or treat, or import, any gold under authority of this section.

[19 F.R. 4309, July 14, 1954, as amended at 33 F.R. 4677, Mar. 19, 1968]

#### § 54.22 Licenses required.

Except as permitted in §§ 54.12 to 54.20, inclusive, and § 54.21, gold may be acquired and held, transported, melted or treated, imported, exported or earmarked for industrial, professional or artistic use only to the extent permitted by licenses issued under § 54.25.

#### § 54.23 Issuance of licenses or general authorizations.

The Under Secretary of the Treasury for Monetary Affairs or his delegate may issue or cause to be issued licenses or other authorizations permitting the acquisition and holding, transportation, melting and treating, importing and exporting of gold which the Under Secretary or his delegate is satisfied is required for legitimate and customary use in in-

dustry, profession, or art, by persons regularly engaged in the business of furnishing or processing gold for industry, profession, or art.

[19 F.R. 4309, July 14, 1954, as amended at 33 F.R. 4677, Mar. 19, 1968]

#### § 54.24 Applications.

Every application for a license under § 54.25 (a) and (c) shall be made on Form TG-12 (except that applications for export licenses shall be made on Form TG-15). Each application for a license shall be filed in duplicate with the Director, Office of Domestic Gold and Silver Operations, Treasury Department, Washington, D.C. 20220. Every applicant for a license under § 54.25 (a) or (c) shall state in his application whether or not any applications have been filed by or licenses issued to any partnership, association or corporation in which the applicant has a substantial interest or, if the applicant is a partnership, association or corporation, by or to a person having a substantial interest in such partnership, association or corporation. The Director, Office of Domestic Gold and Silver Operations, shall not issue any license to any person if in the judgment of the Director more than one license for the same purpose will be held for the principal use or benefit of the same persons or interests. Any person licensed under this subpart acquiring a principal interest in any partnership, association, or corporation, holding a license under this subpart for this purpose shall immediately so inform the Director, Office of Domestic Gold and Silver Operations.

[33 F.R. 5795, Apr. 16, 1968]

#### § 54.25 Licenses.

(a) *Licenses for the acquisition and holding, transportation, melting and treating, importing and disposition of gold.* (1) Upon receipt of the application and after obtaining such additional information as may be deemed advisable, the Director, Office of Domestic Gold and Silver Operations shall, if satisfied that gold is necessary for the legitimate and customary requirements of the applicant's industry, profession, art, or business, and that the applicant is qualified in all respects to conduct gold operations in full compliance with the provisions of this part and the provisions of a Treasury gold license, issue or cause to be issued to the applicant a Treasury gold license on the approved form for the kind of industry, profession, art, or business, in which the applicant is engaged.

(2) License issued under this section may authorize the licensee to acquire and hold not to exceed a maximum amount specified therein; to transport such gold, melt or treat it to the extent necessary to meet the requirements of the industry, profession, art or business for which it was acquired and held or otherwise to carry out the purposes for which it is held under license; and to import gold so long as the aggregate amount of all gold held after such importation does not exceed the maximum amount authorized by the license to be held.

(3) Licenses issued under this paragraph do not permit the exportation or transportation of gold in any form from the States of the United States to the Possessions of the United States, to Puerto Rico, to the Canal Zone or to places not subject to the jurisdiction of the United States, or the exportation or transportation from the possessions of the United States, from Puerto Rico or from the Canal Zone to places not subject to the jurisdiction of the United States. Such exportation or transportation is permitted only to the extent authorized in paragraph (b) of this section or in a separate license issued pursuant to such paragraph.

(b) *Licenses and authorizations for the exporting of gold*—(1) *Semi-processed gold*. Semi-processed gold as defined in § 54.4 may be exported or transported from the States of the United States to the possessions of the United States, to Puerto Rico, to the Canal Zone, or to places not subject to the jurisdiction of the United States, and from the possessions of the United States, from Puerto Rico or from the Canal Zone to places not subject to the jurisdiction of the United States, only pursuant to a separate export license. Such licenses shall be issued by the Director, Office of Domestic Gold and Silver Operations upon application made on Form TG-15 establishing to the satisfaction of the Director that the gold to be exported is semi-processed gold and that the export or transport is for a specific and customary industrial, professional, or artistic use and not for the purpose of using or holding or disposing of such semi-processed gold outside the States of the United States, as or in lieu of money, or for the value of its gold content.

(2) *Fabricated gold*. Fabricated gold as defined in § 54.4 may be exported or transported from the States of the United States, from the possessions of the United States, from Puerto Rico and from the Canal Zone without the necessity of obtaining a Treasury gold license: *Provided, however*, That the Bureau of the Census Schedule B statistical classification number of each specific commodity to be exported shall be plainly marked on the outside of the package or container, the shipper's export declaration shall contain a statement that such gold is fabricated gold as defined in § 54.4 and is being exported pursuant to the authorization contained in this subparagraph, and such additional documentation shall be furnished as may be required by the Bureau of Customs or any other government agency charged with the enforcement of laws relating to the exportation of merchandise from the United States.

(3) *Rare coin*. (i) Rare gold coin, as defined in § 54.20, made prior to April 5, 1933, may be exported or transported from the States of the United States, from the possessions of the United States, from Puerto Rico and the Canal Zone without the necessity of obtaining a Treasury gold license: *Provided, however*, That the shipper's export declaration shall contain a statement that such coin is rare gold coin and is being exported pursuant to the authorization contained in this subparagraph and such additional documentation shall be furnished as may be requested by the Bureau of Customs or any other government agency charged with the enforcement of laws relating to the exportation of merchandise from the United States.

(ii) Gold coin made subsequent to April 5, 1933, may be exported or transported from the States of the United States, from the possessions of the United States, from Puerto Rico and from the Canal Zone only under license on Form TGL-11 issued by the Director, Office of Domestic Gold and Silver Operations. Application for such a license shall be executed on form TG-11 and filed with the Director, Office of Domestic Gold and Silver Operations, Treasury Department, Washington, D.C., 20220.

(4) *Other exports of gold.* Export licenses may also be issued upon application made on Form TG-15B in the same manner as prescribed in subparagraph (1) of this paragraph, authorizing the exportation of gold in any form for refining or processing subject to the condition that the refined or processed gold (or the equivalent in refined or processed gold) be returned to the United States, or subject to such other conditions as the Director may prescribe.

(5) Gold recovered from natural deposits in the United States or any place subject to the jurisdiction thereof, which shall not have entered into monetary or industrial, professional, or artistic use may be exported from the United States for disposition to a person not subject to the jurisdiction of the United States, or to a person subject to the jurisdiction of the United States who is licensed to acquire such gold without the necessity of obtaining a license therefor. With respect to each such export, such information shall be furnished in such form and at such time as the Director, Office of Domestic Gold and Silver Operations requires under § 54.26(a).

(c) *Licenses for the acquisition and holding, transportation, melting and treating, importing and exporting, and disposition of gold for the purpose of furnishing it for industry, profession or art.* (1) Upon receipt of the application specified in § 54.24 and after obtaining such additional information as is deemed necessary, the Director, Office of Domestic Gold and Silver Operations, shall, if satisfied that the applicant is qualified in all respects to conduct gold operations in full compliance with the provisions of this part and the provisions of a Treasury gold license, issue or cause to be issued to the applicant a license on the approved form, which shall permit the applicant to engage in the business of buying and selling gold required by authorized industrial, professional or artistic users.

(2) Licenses issued under this section and paragraph may authorize the licensee: (i) To acquire and hold gold for the purpose of selling such gold

within the United States and its Possessions subject to the conditions and limitations which may be contained in the license; (ii) to transport such gold; (iii) to melt or treat gold or to have it melted or treated for the licensee's account to the extent necessary to meet the requirements of the industries, professions, arts or businesses to which licensee sells, or otherwise to meet the requirements of licensee's business; and (iv) to import gold for sale provided that the aggregate amount of all gold held after such importation does not exceed the maximum amount authorized to be held under the license.

(3) Exports are authorized to the extent permitted by paragraph (b) (2), (4) and (5) of this section or licenses issued hereunder.

(4) Sales of gold held pursuant to a license issued under this paragraph may be made to any other person holding a license hereunder.

(5) With respect to each transaction engaged in by licensees pursuant to licenses issued under this paragraph, including but not limited to each export of gold in any form, such information shall be furnished in such form and at such time as the Director, Office of Domestic Gold and Silver Operations, shall require under § 54.26(a).

(6) The aggregate amount of gold held by a licensee at any one time in any form or from any source, may not exceed the maximum amount authorized to be held under the license.

(7) Nothing contained in this paragraph or any license issued hereunder shall be deemed to allow the sale or delivery of gold to persons subject to the jurisdiction of the United States who are not authorized to acquire gold under the regulations in this part.

(d) *Prohibited transactions.* Persons subject to the regulations contained in this part are prohibited from engaging in transactions with a foreign monetary authority involving gold, regardless of form.

[28 F.R. 8290, Aug. 13, 1963, as amended at 33 F.R. 4677, Mar. 19, 1968; 33 F.R. 5795, Apr. 16, 1968]

**§ 54.26 Investigations; records; subpoenas.**

(a) The Under Secretary of the Treasury for Monetary Affairs or his delegate is authorized to make or cause to be made such studies and investigations, to conduct such hearings, and to obtain such information as the Under Secretary or his delegate deems necessary or proper to assist in the consideration of any applications for licenses, or in the administration and enforcement of the acts, the orders, and the regulations in this part.

(b) Every person holding a license issued under § 54.25 (a), or acquiring, holding or disposing of gold pursuant to the authorizations in §§ 54.18 and 54.21, shall keep full and accurate records of all his operations and transactions with respect to gold, and such records shall be available for examination by a representative of the Treasury Department until the end of the fifth calendar year (or if such person's accounts are kept on a fiscal year basis, until the end of the fifth fiscal year) following such operations or transactions. The records required to be kept by this section shall include the name, address, and Treasury gold license number of each person from whom gold is acquired or to whom gold is delivered, and the amount, date, description and purchase or sales price of each such acquisition and delivery, and any other records or papers required to be kept by the terms of a Treasury Department gold license. If the person from whom gold is acquired, or to whom gold is delivered, does not have a Treasury gold license such records shall show, in lieu of the license number of such person, the section of the regulations in this part pursuant to which such gold was held or acquired by such person. Such records shall also show all costs and expenses entering into the computation of the total domestic value of articles of fabricated or semi-processed gold as defined in § 54.4.

(c) The Under Secretary of the Treasury for Monetary Affairs or his delegate (or the officers and employees of the Treasury Department specifically designated by the Under Secretary or his delegate) or any department or agency charged with the enforcement of the acts, the orders, or the regulations in this part, may require any person to permit the inspection and copying of records and other documents and the inspection of inventories of gold and to furnish, under oath or affirmation or otherwise, complete information relative to any transaction referred to in the acts, the orders, or the regulations in this part involving gold or articles manufactured from gold. The records which may be required to be furnished shall include any records required to be kept by this section and, to the extent that the production of such information is necessary and appropriate to the enforcement of the provisions of the acts, the orders, and the regulations in this part, or licenses issued thereunder, any other records, documents, reports, books, accounts, invoices, sales lists, sales slips, orders, vouchers, contracts, receipts, bills of lading, correspondence, memoranda, papers and drafts, and copies thereof, either before or after the completion of the transaction to which such records refer.

(d) The Under Secretary of the Treasury for Monetary Affairs or his delegate may administer oaths and affirmations and may, whenever necessary, require any person holding a license under § 54.25 or acquiring, holding or disposing of gold pursuant to the authorizations of §§ 54.18 or 54.21, or any officer, director, or employee of such person, to appear and testify or to appear and produce any of the records specified in paragraph (c) of this section or both, at any designated place.

[19 F. R. 4309, July 14, 1954, as amended at 20 F. R. 7330, Oct. 1, 1955; 20 F. R. 7795, Oct. 15, 1955]

**§ 54.27 Reports.**

Every person holding a license issued pursuant to § 54.25(a) shall make reports on the appropriate report form specified in such license for the six months' periods ending on the last days of June and December, respectively, and shall file such reports with the Under Secretary of the Treasury for Monetary Affairs, Treasury Department, Washington, D.C., 20220. Reports shall be filed within twenty-five days after the termination of the period for which such reports are made.

**Subpart D—Gold for the Purpose of Settling International Balances and for Other Purposes****§ 54.28 Acquisitions by Federal Reserve banks for purposes of settling international balances, etc.**

The Federal Reserve banks may from time to time acquire from the United States by redemption of gold certificates in accordance with section 6 of the Gold Reserve Act of 1934 such amounts of gold bullion as, in the judgment of the Secretary of the Treasury, are necessary to settle international balances or to maintain the equal purchasing power of every kind of currency of the United States. Such banks may also acquire gold (other than United States gold coin) abroad or from private sources within the United States.

**§ 54.29 Dispositions by Federal Reserve banks.**

The gold acquired under § 54.28 may be held, transported, imported, exported, or earmarked for the purposes of settling international balances or maintaining the equal purchasing power of every kind of currency of the United States: *Provided*, That if the gold is not used for such purposes within 6 months from the date of acquisition, it shall (unless the Secretary of the Treasury shall have extended the period within which such gold may be so held) be paid and delivered to the Treasurer of the United States against payment therefor by credits in equivalent amounts in dollars in the accounts authorized under the sixteenth paragraph of section 16 of the Federal Reserve Act, as amended (48 Stat. 339; 12 U.S.C. 467).

**§ 54.30 Provisions limited to Federal Reserve banks.**

The provisions of this subpart shall not be construed to permit any person subject to the jurisdiction of the United States, other than a Federal Reserve Bank, to acquire gold for the purposes specified in this subpart or to permit any person to acquire gold from a Federal Reserve bank except to the extent that his license issued under this part specifically so provides.

**Subpart E—Gold for Other Purposes Not Inconsistent With the Purposes of the Gold Reserve Act of 1934 and the Act of October 6, 1917, as Amended****§ 54.31 Licenses required.**

Gold may be acquired and held, transported, melted or treated, imported, exported, or earmarked for purposes other than those specified in §§ 54.21 to 54.30, inclusive, not inconsistent with the purposes of the acts only to the extent permitted in §§ 54.12 to 54.20 inclusive, and § 54.32, or under a license issued under §§ 54.33, 54.34 or 54.35.

[19 F.R. 4309, July 14, 1954, as amended at 30 F.R. 10885, Aug. 21, 1965]

**§ 54.32 Gold imported in gold-bearing materials for re-export.**

(a) Gold refined (or the equivalent to gold refined) from gold-bearing materials imported into the United States for refining and re-export may be re-exported to the foreign exporter or pursuant to his order, without the necessity of obtaining a Treasury gold export license, subject to the following conditions:

(1) The imported gold-bearing material either (i) was imported into the United States from a foreign resident or a foreign organization, or (ii) was mined by a branch or other office of a United States organization and imported into the United States from such branch or office;

(2) The importer has no right, title, or interest in the gold refined from the imported gold-bearing material other than through its branch or office which is the foreign exporter as provided in subparagraph (1) (i) and (ii) of this paragraph, and the importer will not



participate in the sale of such refined gold or receive any commission in connection with the sale of such refined gold;

(3) The refined gold is to be re-exported to the foreign exporter or, pursuant to his order, to a foreign resident or foreign organization; and

(4) Such gold is imported, acquired, and held, transported, melted and treated, as permitted in §§ 54.12 to 54.20, inclusive, or in accordance with a license issued under § 54.25, and in full compliance with the provisions of paragraph (b) of this section.

(b) *Procedural requirements.* Persons exporting gold pursuant to paragraph (a) of this section shall comply with the following requirements:

(1) *Notation upon entry.* Upon the formal entry into the United States of any gold-bearing materials, the importer shall declare to the collector of customs at the port where the material is formally entered that the importation is made with the intention of exporting the gold refined therefrom to the foreign exporter, or pursuant to his order. The collector shall make on the entry a notation to this effect and forward a copy of the entry to the United States assay office at New York or to the United States mint at San Francisco, whichever is designated by the importer.

(2) *Sampling and assaying.* Promptly upon the receipt of each importation of gold-bearing material at the plant where it is first to be treated, it shall be weighed, sampled, and assayed for the gold content. A reserve commercial sample shall be retained by such plant for at least 1 year from the date of importation, unless the assay is sooner verified by the Treasury Department.

(3) *Plant records.* The importer shall cause an exact record, covering each importation, to be kept at the plant of first treatment. The records shall show the gross wet weight of the importation, the weight of containers, if any, the net wet weight, the percentage and weight of moisture, the net dry weight, and the gold content shown by the settlement assay. A true copy of such record shall be filed promptly with the assay office in New York or the mint at San Francisco, whichever has been designated to receive a copy of the entry. The plant records herein required to be kept shall be available for examination

by a representative of the Treasury Department for at least 1 year after the date of the disposition of such gold.

(4) *Limitations on exports.* The gold refined (or the equivalent to gold refined) from imported gold-bearing materials shall be exported not later than seven months from the date of entry of such gold-bearing materials and shall not exceed the amount of gold shown on the refiner's settlement sheet as having been recovered from the imported gold-bearing material: *Provided*, That, such gold may be exported prior to the procurement of the refiner's settlement sheet in an amount not in excess of 90 percent of a written estimate of the gold content of the gold-bearing material based upon the actual test assay of such material.

(5) *Export declaration and certificate.* The exporter shall state on his export declaration that the shipment is gold refined (or the equivalent to gold refined) from imported gold-bearing materials which is being exported pursuant to the authorization contained in this section, and shall attach to his export declaration a certificate properly executed in duplicate on Form TG-16 and two true copies of the refiner's settlement sheet. In the event that exportation is made prior to procurement of the settlement sheet, duplicate certified copies of the report of the actual test assay of the gold-bearing material, together with a statement showing that an exportation with respect to such material is necessary prior to the time the settlement sheet can be procured, shall be submitted by the exporter with his export declaration and certificate on Form TG-16. The collector of customs shall forward a copy of the certificate on Form TG-16 and a copy of the settlement sheet, or the report of the test assay, to the United States assay office at New York or the United States mint at San Francisco, whichever has been designated to receive a copy of the entry.

#### § 54.33 Gold imported for re-export.<sup>1</sup>

(a) *Exportation promptly without license.* Gold may be imported and transported for prompt export, and ex-

<sup>1</sup> Attention is directed to Order No. 29 of the Foreign-Trade Zones Board (17 F. R. 5316; 15 CFR 400.803) which is applicable to gold.

ported without the necessity of holding a license, provided the gold is, in fact, exported promptly and remains under customs custody throughout the period during which it is within the customs limits of the United States. Upon the arrival in the United States of gold imported for re-export pursuant to the provisions of this section, the importer shall declare to the collector of customs at the port of entry that it will be re-exported promptly. The collector of customs shall make a notation of this declaration upon the entry and forward a copy of the entry to the Under Secretary of the Treasury for Monetary Affairs or his delegate.

(b) *Exportation pursuant to license.* In the event that the export of any gold imported pursuant to this section is delayed due to the unavailability of facilities for the onward transportation of such gold, the Under Secretary of the Treasury for Monetary Affairs or his delegate may, subject to the following provisions, issue licenses on Form TGL-17 authorizing the importation, holding, transportation, and exportation of gold which the Under Secretary or his delegate is satisfied is, in fact, imported for re-export promptly upon the completion of necessary arrangements for the transportation of such gold.

(1) Every application for a license under this section shall be made on form TG-17 and shall be filed with the Under Secretary of the Treasury for Monetary Affairs or his delegate.

(2) Upon receipt of the application and after making such investigation of the case as may be deemed advisable, the Under Secretary of the Treasury of Monetary Affairs or his delegate, if satisfied that the gold was, in fact, imported for re-export promptly upon the completion of necessary arrangements for the transportation of such gold, shall issue to the applicant a license on form TGL-17.

#### § 54.34 Licenses for other purposes.

The Secretary of the Treasury, with the approval of the President, shall issue licenses authorizing the acquisition, transportation, melting or treating, importing, exporting, or earmarking of gold, for purposes other than those specified in §§ 54.21 to 54.30, inclusive, 54.32 and 54.33, which, in the judgment of the Secretary of the Treasury, are not inconsistent with the purposes of the acts, subject to the following provisions:

(a) *Applications.* Every application for a license under this section shall be made on form TG-18 and shall be filed in duplicate with the Federal Reserve bank for the district in which the applicant resides or has his principal place of business. Upon receipt of the application and after making such investigation of the case as it may deem advisable, the Federal Reserve bank shall transmit to the Secretary of the Treasury the original of the application, together with any supplemental information it may deem appropriate. The Federal Reserve bank shall retain the duplicate of the application for its records.

(b) *Licenses.* If the issuance of a license is approved, the Federal Reserve bank which received and transmitted the application will be advised by the Secretary of the Treasury and directed to issue a license on form TGL-18. If a license is denied, the Federal Reserve bank will be so advised and shall immediately notify the applicant. The decision of the Secretary of the Treasury with respect to the granting or denying of a license shall be final. If a license is granted, the Federal Reserve bank shall thereupon note upon the duplicate of the application therefor, the date of approval and issuance and the amount of gold specified in such license.

(c) *Reports.* Within 7 business days of the date of disposition of the gold acquired or held under a license issued under this section, or within 7 business days of the date of export, if such exportation is authorized, the licensee shall file a report in duplicate on form TGR-18 with the Federal Reserve bank through which the license was issued. Upon receipt of such report, the Federal Reserve bank shall transmit the original thereof to the Secretary of the Treasury, and retain the duplicate for its records.

#### § 54.35 Rare gold bars.

(a) The Director, Office of Domestic Gold and Silver Operations, may issue or cause to be issued licenses or other authorizations, permitting the acquisition, holding, transportation and importation of gold bars which the Director is satisfied have been of recognized special value to collectors of numismatic items at all times since prior to April 5, 1933. Gold bars manufactured after December 31, 1900, shall be presumed not to be of such recognized special value to collectors. Application for a license under this para-

graph shall be executed on Form TG-32 and filed in duplicate with the Director, Office of Domestic Gold and Silver Operations.

(b) Gold bars held pursuant to a license issued under paragraph (a) of this section may be exported only pursuant to a separate export license issued by the Director, Office of Domestic Gold and Silver Operations. Application for such a license shall be executed on Form TG-33 and filed in duplicate with the Director.

[30 F.R. 10885, Aug. 21, 1965]

### Subparts F, G, and H [Reserved]

## Subpart I—General License To Hold Gold Certificates

### §54.83 General license; gold certificates.

A general license is hereby granted licensing all persons subject to the jurisdiction of the United States, as defined in § 54.4(a)(13), to acquire, hold, dispose of, export and import United States gold certificates issued before January 30, 1934. This general license applies to any such gold certificates whether situated inside or outside of the United States. Such certificates shall not be redeemable in gold, but may be exchanged at the dollar face amount thereof in other coins and currencies of the United States which may be lawfully acquired and are legal tender for public and private debts.

(Sec. 3, 48 Stat. 2; 12 U.S.C. 248(n)) [29 F.R. 5557, Apr. 25, 1964]

NOTE: The reporting requirements of these regulations have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

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