FOREIGN COMPENSATION

The Foreign Compensation (Administrative and Financial Provisions) Order in Council, 1950

1950 No. 1193

Made - - - -	21*st July*, 1950
Laid before Parliament	22*nd July*, 1950
Coming into Operation	1*st August*, 1950

At the Court at Buckingham Palace, the 21st day of July, 1950

Present,

The King's Most Excellent Majesty in Council

Whereas the Foreign Compensation Act, 1950(a) (hereinafter referred to as " the Act ") provided for the constitution for the purposes of the Act of a Commission, to be called the Foreign Compensation Commission (hereinafter referred to as " the Commission ");

And Whereas by Section 7 of the Act, His Majesty is authorised by Order in Council to make provision with respect to certain administrative and financial matters specified in that Section and any other matters for which His Majesty considers it necessary or expedient to provide for the purpose of enabling the Commission to exercise their functions;

And Whereas it is now deemed expedient that provisions should be made in pursuance of the above mentioned provisions of Section 7 of the Act;

Now, therefore, His Majesty, by virtue and in exercise of the powers in that behalf by the Act, or otherwise in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order and it is hereby ordered as follows:—

1. Save as provided by any Order in Council, under Sub-section (1) of Section 4 of the Act, two members of the Commission shall constitute a quorum thereof.

2. Subject to the provisions of the Act and of any Orders in Council and Rules made thereunder, the Commission may regulate their own procedure.

3. The application of the seal of the Commission shall be authenticated by the signatures of the chairman of the Commission or some other member of the Commission authorised by the Commission to authenticate the application of the seal thereof, and of the secretary of the Commission or some person authorised by the Commission to act in his stead in that behalf.

4.—(*a*) Officers and servants of the Commission shall be appointed by the Commission.

(*b*) The numbers of such officers and servants and their remuneration and allowances shall be determined by the Secretary of State with the approval of the Treasury and each appointment and the terms of employment shall be subject to the approval of the Secretary of State.

(a) 14 Geo. 6. c. 12.

5.—(*a*) This Order may be cited as the Foreign Compensation (Administrative and Financial Provisions) Order in Council, 1950.

(*b*) This Order shall come into operation on the first day of August, 1950. And the Right Honourable Ernest Bevin, His Majesty's Principal Secretary of State for Foreign Affairs, is to give the necessary directions herein.

E. C. E. Leadbitter.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

The purpose of this Order is to make the general administrative and financial provisions necessary to enable the Foreign Compensation Commission to operate. Certain matters which are particular to the Yugoslav and Czechoslovak series of claims are dealt with in the Foreign Compensation (Yugoslavia) Order in Council, 1950(**a**), and the Foreign Compensation (Czechoslovakia) Order in Council, 1950(**b**). Thus, while the present Order provides that two members of the Commission shall constitute a quorum for the conduct of its business in general, each of the other two Orders requires not less than three members for the determination of applications under those Orders. Provisions relating to the management and investment of the Yugoslav and Czechoslovak Funds, i.e. moneys received under the compensation agreements with Yugoslavia(**c**) and Czechoslovakia(**d**) are also made in the Foreign Compensation (Yugoslavia) Order in Council, 1950, and the Foreign Compensation (Czechoslovakia) Order in Council, 1950.

The present Order provides for the staff of the Commission, but provisions for the appointment of members of the Commission itself are made by Section 1 of the Act. The staff will include a Secretary who will be responsible to the Commission for the administrative work relating to claims and a Legal Officer whose duty it will be to represent the interests of the Funds (or in other words of the general body of claimants) and therefore to submit to the Commission when necessary arguments showing in what an individual claimant has failed fully to prove his claim.

This Order makes no provision under Section 7 (2) of the Act for the payment out of the sums of money received from Yugoslavia and Czechoslovakia of expenses attributable to the discharge by the Commission of its functions in relation to the distribution of those sums. It is intended, however, to make any necessary Order when the expenses properly attributable to the determination of each series of claims can, in fact, be calculated.

(a) S.I. 1950 No. 1192, p. 780 below.

(b) S.I. 1950 No. 1191, p. 772 below.

(c) "Treaty Series No. 2 (1949)," Cmd. 7600 and "Treaty Series No. 5 (1950)," Cmd. 7875.

(d) "Treaty Series No. 60 (1949)," Cmd. 7797.