FOREIGN COMPENSATION

1953 No. 1209

The Foreign Compensation (Czechoslovakia) (Amendment) Order, 1953

Made - - - -	1*st August*, 1953
Laid before Parliament	4*th August*, 1953
Coming into Operation	5*th August*, 1953

At the Court at Buckingham Palace, the 1st day of August, 1953

Present,

The Queen's Most Excellent Majesty in Council

Whereas by Section 2 of the Foreign Compensation Act, 1950(a) (hereinafter referred to as "the Act") Her Majesty is authorised by Order in Council to provide for the distribution by the Foreign Compensation Commission (hereinafter referred to as "the Commission") of such sums as may be paid to the Commission by Her Majesty's Government in the United Kingdom, being sums received under the Agreement entered into between the Government of the United Kingdom and the Government of Czechoslovakia on the 28th day of September, 1949(b) among the persons who establish claims to the satisfaction of the Commission in respect of losses suffered in such circumtances as may be prescribed by the Order:

And Whereas it was so provided by the Foreign Compensation (Czechoslovakia) Order in Council, 1950(c), the Foreign Compensation (Czechoslovakia) (Amendment) Order in Council, 1951(d), the Foreign Compensation (Czechoslovakia) (Amendment) Order in Council, 1952(e), the Foreign Compensation (Czechoslovakia) (Amendment) (No. 2) Order, 1952(f), and the Foreign Compensation (Czechoslovakia) (Amendment) (No. 3) Order, 1952(g) (hereinafter referred to together as "the Order");

And Whereas it is deemed expedient to make certain amendments to the said Order:

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

1. The present paragraph of Article 5 of the Order shall be lettered "(*a*)", and there shall be added to Article 5 the following paragraphs:—

"(*b*) Notwithstanding that all claims under this Order may not have been finally determined, the Commission may make an interim part payment

(a) 14 Geo. 6. c. 12.
(b) "Treaty Series No. 60 (1949)", Cmd. 7797.
(c) S.I. 1950/1191: 1950 I, p. 772.
(d) S.I. 1951/1166; 1951 I, p. 753.
(e) S.I. 1952/348; 1952 I, p. 1090.
(f) S.I. 1952/864; 1952 I, p. 1091.
(g) S.I. 1952/1413; 1952 I, p. 1092.

in respect of any claim or part of a claim whether assessed provisionally or finally. For this purpose the Commission may vary the amount provisionally awarded in respect of any claim, either by increasing or decreasing this amount.

(*c*) Interim payments made under the provisions of paragraph (*b*) of this Article shall be made:

(i) on account of future payments to be made under Article 4 of this Order; *and*

(ii) at a uniform rate upon the amount at which the claim has been assessed in accordance with the provisions of this Article.

The uniform rate of payment shall be determined with reference to: (*a*) the total liability of the Czechoslovak Fund as estimated by the Commission and (*b*) the distributable amount (as defined in Article 4 (*b*) of the Order) of that Fund at the date on which the present Order comes into operation."

2.—(*a*) This Order may be cited as the Foreign Compensation (Czechoslovakia) (Amendment) Order, 1953.

(*b*) This Order shall come into operation on the fifth day of August, 1953.

And the Right Honourable Anthony Eden, Her Majesty's Principal Secretary of State for Foreign Affairs, is to give the necessary directions herein.

W. G. Agnew.

EXPLANATORY NOTE

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

The purpose of this Amending Order is to enable the Foreign Compensation Commission to make at a uniform rate interim part payments on claims determined by them either provisionally or finally, even though all claims under the Czechoslovak Order in Council have not yet been finally determined. It also provides that, for this purpose, the Commission may vary the amount provisionally awarded in respect of any claim.

The uniform rate of payment is to be determined with reference to the Commission's estimate of the total liability of the Czechoslovak Fund and the distributable amount of that Fund at the date when this Order comes into operation.