# 1956 No. 831

# The Foreign Compensation (Czechoslovakia) (Amendment) Order, 1956

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| *Made* - - - - | 1*st June*, 1956 |
| *Laid before Parliament* | 6*th June*, 1956 |
| *Coming into Operation* | 11*th June*, 1956 |

At the Court at Buckingham Palace, the 1st day of June, 1956.

Present,

The Queen's Most Excellent Majesty in Council

Whereas the Foreign Compensation Act, 1950(**a**) (hereinafter referred to as "the Act") provides 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 Sub-section (1) of Section 2 of the Act, Her Majesty is authorised by Order in Council to make provision for the distribution by 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 twenty-eighth day of September, 1949(**b**), among the persons who establish claims to the satisfaction of the Commission in respect of losses suffered in such circumstances as may be prescribed by the Order:

And Whereas by Sub-section (2) of Section 2 of the Act Her Majesty is authorised by Order in Council to make provision for defining the persons who are to be qualified, in respect of nationality or status, to make applications to the Commission for the purpose of establishing such claims as aforesaid, and for imposing any other conditions to be fulfilled before such claims can be entertained; and for requiring documents of title relating to property in respect of which claims are established to be surrendered to the Commission, and for securing the abandonment or extinction of rights in respect of which claims are established:

And Whereas it was so provided by the Foreign Compensation (Czechoslovakia) Order in Council, 1950(**c**), as amended by 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**), the Foreign Compensation (Czechoslovakia) (Amendment) (No. 3) Order, 1952(**g**), the Foreign Compensation (Czechoslovakia) (Amendment) Order, 1953(**h**), and the Foreign Compensation (Czechoslovakia) (Amendment) (No. 2) Order, 1953(**i**) (hereinafter referred to together as "the Order"):

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(**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).
(**h**) S.I. 1953/1209 (1953 I, p. 822).
(**i**) S.I. 1953/1902 (1953 I, p. 824).

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.** There shall be added to Article 3 of the Order the following paragraph:—

"(*c*) if any person whose application under this Order has resulted in the establishment of a claim is an infant at the date when the amounts payable to him under Articles 4 and 5 of this Order are due to be paid, the Commission may make payment thereof into the Supreme Court or, if the amount thereof does not exceed five hundred pounds, into the County Court for the district in which the infant resides, under the provisions of the Trustee Act, 1925(a)."

**2.** The present paragraph of Article 21 of the Order shall be lettered "a", and there shall be added to Article 21 the following paragraph:—

"(*b*) If the person for whose benefit the payment is to be made is an infant, the Commission shall, as a condition of the making of any payment into court under paragraph (*c*) of Article 3 of this Order, require the person who, in accordance with the rules for the time being of the Commission, has made an application for payment on the infant's behalf to surrender to the Commission the documents of title, if any, under his control relating exclusively to the property or interest in property to which the claim relates and, in so far as such documents are not available, to execute and deliver to the Commission a document in such form as the Commission may determine declaring that the infant renounces all claims in respect of the property or interest in question; and a document so surrendered or executed and delivered to the Commission shall operate as a valid surrender or renunciation, as the case may be, by the infant of all such claims."

**3.** (*a*) This Order may be cited as the Foreign Compensation (Czechoslovakia) (Amendment) Order, 1956.

(*b*) This Order shall come into operation on the eleventh day of June, 1956.

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

*W. G. Agnew.*

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## EXPLANATORY NOTE

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

This Order amends the Foreign Compensation (Czechoslovakia) Order in Council, 1950, by inserting in it provisions relating to applications to the Foreign Compensation Commission on behalf of infants similar to those in the Foreign Compensation (Poland) (Nationalisation Claims) Order, 1956 (S.I. 1956/618), and the Foreign Compensation (Poland) (Debts) Order, 1956 (S.I. 1956/617).

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(a) 15 & 16 Geo. 5. c. 19.