1960 No. 849

The Foreign Compensation (Czechoslovakia) (Registration) Order, 1960

Made - - - -	11*th May*, 1960
Laid before Parliament	17*th May*, 1960
Coming into Operation	18*th May*, 1960

At the Court at Buckingham Palace, the 11th day of May, 1960

Present,

The Queen's Most Excellent Majesty in Council

Whereas by Section 3 of the Foreign Compensation Act, 1950(a), (hereinafter referred to as "the Act") Her Majesty is authorised, if Her Majesty's Government in the United Kingdom enter into or contemplate an agreement with the Government of any foreign country providing for the payment of compensation by the latter Government, to make provision by Order in Council for the registration by the Foreign Compensation Commission (hereinafter referred to as "the Commission") of claims to participate in such compensation, and for the making of reports by the Commission with respect to such claims:

And Whereas Her Majesty's Government in the United Kingdom contemplate such an agreement with the Government of the Czechoslovak Republic:

And Whereas it is now deemed expedient that provision for the registration of claims and the making of reports should be made in pursuance of the aforementioned provisions of Section 3 of the Act:

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:—

PART I

INTERPRETATION

1.—(1) The Interpretation Act, 1889(b), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament, and as if this Order were an Act of Parliament.

(2) In this Order:—

"British nationals" means

(*a*) individuals who are, or would have been had the British Nationality Act, 1948(c), and the British Protectorates, Protected States and Protected Persons Orders in Council, 1949 to 1958(d), been in

(a) 14 Geo. 6. c. 12. (b) 52 & 53 Vict. c. 63. (c) 11 & 12 Geo. 6. c. 56.
(d) S.I. 1949/140, 1952/457, 1953/1773, 1958/259, 590 (1949 I, p. 522; 1952 I, p. 437; 1953 I, p. 188; 1958 I, pp. 245, 246).

force at the relevant date, citizens of the United Kingdom and Colonies, British subjects without citizenship as defined in Section 13 of that Act, or British protected persons as defined in Section 32 of that Act; provided that, as regards any relevant date prior to the sixteenth day of May, 1948, the expression "British protected persons" shall be deemed to include a person who was at that date a Palestinian citizen under the Palestinian Citizenship Orders, 1925 to 1942(a);

(*b*) individuals who are, or would have been had the Citizenship of Rhodesia and Nyasaland and British Nationality Act, 1957, been in force at the relevant date, citizens of Rhodesia and Nyasaland;

(*c*) individuals who are, or would have been had the Singapore Citizenship Ordinance, 1957, been in force at the relevant date, citizens of Singapore;

(*d*) corporations, firms and associations incorporated or constituted under the laws in force in the United Kingdom or in any territory for whose international relations Her Majesty's Government are (or were at the relevant date) responsible.

"Czechoslovakia" means territory which on the first day of November, 1945, was under the administration of the Czechoslovak Government.

"Debt" means a sum due or owing, or a sum claimed for unliquidated damages, or a sum deposited in a bank in Czechoslovakia for the purpose of meeting in whole or in part an obligation, but not transferred to the creditor.

"Property" includes all rights or interests of any kind in property, other than debts.

Part II

Registration of Claims

2. An application to the Commission to register a claim in accordance with the provisions of this Order may be made by any person who is, at the date on which the application is made, a British national.

3. The Commission shall register any claim in respect of which an application has been received under the provisions of Article 2 of this Order and which is:—

(1) a claim in respect of a debt which on the first day of November, 1945, was outstanding to a British national from the Czechoslovak Government or from a municipal authority in Czechoslovakia or from a person, corporation, firm or association (other than a British national) resident in Czechoslovakia; or

(2) a claim in respect of a balance which on the first day of November, 1945, was held by a British national at a bank in Czechoslovakia; or

(3) a claim in respect of property in Czechoslovakia which on the first day of November, 1945, was owned by a British national and of which he or his successor in title, being a British national, has been deprived of the ownership or enjoyment by confiscation, nationalisation, expropriation or dispossession.

(a) S.R. & O. 1925/777, 1931/671, 1939/863, 1941/1121, 1942/1177 (1925, p. 474; 1931, p. 467; 1939 II, p. 1658; 1941 I, p. 356; 1942 I, p. 216).

4. The Commission shall not register under this Order :—

(1) any claim which has already been established under any other Order made under the Act ; or

(2) any claim arising out of a loan or obligation, in any currency other than Czechoslovak Crowns, issued or guaranteed by the Czechoslovak Government or by any municipal authority in Czechoslovakia ; or

(3) any claim in respect of the six per cent. First Mortgage Debentures of the SKODA WORKS (limited company formerly the Skoda Works, Plzen).

5. The Commission shall report, in such manner as Her Majesty's Principal Secretary of State for Foreign Affairs may direct, upon any claims registered in accordance with the provisions of Article 3 of this Order.

6. In exercising their functions under this Order, the Commission shall act in their administrative capacity.

PART III

GENERAL

7. This Order shall come into operation on the eighteenth day of May, 1960, and may be cited as the Foreign Compensation (Czechoslovakia) (Registration) Order, 1960.

W. G. Agnew.

EXPLANATORY NOTE

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

This Order enables certain claims relating to debts owed by the Czechoslovak Government or by residents in Czechoslovakia to British nationals on 1st November, 1945, or relating to property in Czechoslovakia owned by British nationals on that date to be registered with, and reported upon, by the Foreign Compensation Commission.