3. This Order shall come into operation on the 31st day of July, 1959, and may be cited as the Foreign Compensation (Bulgaria) (Amendment) Order, 1959.

W. G. Agnew.

EXPLANATORY NOTE

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

The purpose of this Order is:—

(i) to amend the definition of "British national" in Article 14 of the Foreign Compensation (Bulgaria) Order, 1958, by clarifying the reference to "British protected person" in that Article;

(ii) to amend Article 28 of the 1958 Order so as to make it possible for claims made by British nationals which were communicated to Her Majesty's Principal Secretary of State for Foreign Affairs at any time before September 25, 1955, to be entertained by the Commission under Part IV of that Order.

1959 No. 625

The Foreign Compensation (Egypt) (Determination and Registration of Claims) Order, 1959

Made - - - -	*6th April,* 1959
Laid before Parliament	*7th April,* 1959
Coming into Operation	*9th April,* 1959

At the Court at Windsor Castle, the 6th day of April, 1959

Present,

The Queen's Most Excellent Majesty in Council

Whereas Her Majesty is authorised to make provision by Order in Council under the Foreign Compensation Act, 1950(a) (hereinafter referred to as "the Act") for the determination by the Foreign Compensation Commission (hereinafter referred to as "the Commission") of claims to participate in compensation received under agreements with foreign Governments:

And Whereas an Agreement (hereinafter referred to as "the Agreement") entered into between Her Majesty's Government and the Government of the United Arab Republic, on the 28th day of February, 1959, provides that the Government of the United Arab Republic shall pay to the United Kingdom Government the sum of £27,500,000 sterling in full and final settlement of the claims referred to in paragraph (1) of Article IV of the Agreement:

And Whereas it is expedient that provision should be made with regard to sums received from the Government of the United Arab Republic and for the registration, assessment and determination of claims in respect of British property in Egypt:

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

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

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(a), 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*) citizens of the United Kingdom and Colonies, citizens of Rhodesia and Nyasaland, citizens of Southern Rhodesia, British subjects without citizenship, and British protected persons belonging to any of the territories for whose international relations the Government of the United Kingdom were on the 28th day of February, 1959, responsible,
and

(*b*) corporations and unincorporated associations constituted under the laws in force in the United Kingdom of Great Britain and Northern Ireland or in any territory for whose international relations the Government of the United Kingdom were on the 28th day of February, 1959, responsible, and

for the purposes of Part III of this Order includes the Ottoman Bank.

"Egyptian measures" means all measures of sequestration taken by the Government of the Republic of Egypt and by the Government of the United Arab Republic against property between the 30th day of October, 1956, and the 28th day of February, 1959, and all restrictive measures taken against British nationals during the same period in accordance with the provisions of Egyptian Proclamation No. 5 of November 1, 1956.

"Property" includes all rights or interests of any kind in property.

"Shares" includes stock. Shares in corporations and unincorporated associations constituted under the laws in force in Egypt shall be deemed to be situated in Egypt.

PART II

THE FUND

2. The Commission shall pay into a fund to be called the Egyptian Compensation Fund (hereinafter referred to as "the Fund") all such sums as may be paid to them by Her Majesty's Government, being sums received under the Agreement.

3.—(1) Any sum standing to the credit of the Fund may be temporarily invested by the Commission in such manner as the Treasury may authorise.

(2) All interest, dividends and other sums received by the Commission as a result of any investment made by them of any sum standing to the credit of the Fund shall be paid into the Fund.

(a) 52 & 53 Vict. c. 63.

PART III

CLAIMS IN RESPECT OF PROPERTY SOLD BETWEEN OCTOBER 30, 1956, AND AUGUST 2, 1958, UNDER EGYPTIAN PROCLAMATION NO. 5 OF NOVEMBER 1, 1956

4. The Commission shall treat a claim under this Part of the Order as established if the applicant satisfies them of the following matters:—

(1) that his application relates to property in Egypt which was sold between the 30th day of October, 1956, and the 2nd day of August, 1958, under the provisions of Egyptian Proclamation No. 5 of November 1, 1956;

(2) that the property at the time of such sale was owned by a British national;

(3) that the property is referred to in Annex E to the Agreement;

(4) that he was the owner at the time of such sale or is the successor in title of such owner; and

(5) that the owner at the time of such sale and his successor in title, if any, were British nationals on the 31st day of October, 1956, and the 28th day of February, 1959. For the purposes of this paragraph, a British national who died, or in the case of a corporation or association ceased to exist, between the 31st day of October, 1956, and the 28th day of February, 1959, shall be deemed to have been a British national on the latter date.

5.—(1) The Commission shall assess the amount of loss with respect to each claim established under this Part of the Order.

(2) The amount of loss so assessed shall be such amount as seems just and equitable to the Commission having regard to all the circumstances.

6. If the applicant satisfies the Commission of all the matters specified in Article 4 of this Order other than that the property is property referred to in Annex E to the Agreement, the Commission shall register the claim and report thereon to Her Majesty's Principal Secretary of State for Foreign Affairs in such manner as he shall direct.

7. An application under this Part of the Order shall not be entertained by the Commission unless notice thereof has been received by the Commission on or before the 29th day of September, 1959.

PART IV

CLAIMS IN RESPECT OF PROPERTY LOST, INJURED OR DAMAGED AS A RESULT OF EGYPTIAN MEASURES

8. The Commission shall treat a claim under this Part of the Order as established if the applicant satisfies them of the following matters:—

(1) that his application relates to property in Egypt to which Part III of this Order does not apply and which has been lost, injured or damaged before the 28th day of February, 1959, as a result of Egyptian measures;

(2) that he was the owner at the time of such loss, injury or damage or is the successor in title of such owner; and

(3) that the owner at the time of the loss, injury or damage and his successor in title, if any, were British nationals on the 31st day of October, 1956, and the 28th day of February, 1959. For the purposes of this paragraph, a British national who died, or in the case of a corporation or association ceased to exist, between the 31st day of October, 1956, and the 28th day of February, 1959, shall be deemed to have been a British national on the latter date.

9.—(1) The Commission shall assess the amount of loss with respect to each claim established under this Part of the Order.

(2) The amount of loss so assessed shall be such amount as seems just and equitable to the Commission having regard to all the circumstances.

(3) The Commission shall separately record the amount of any sequestration charge imposed on the person making application by the Government of the Republic of Egypt or the Government of the United Arab Republic.

10. If the applicant satisfies the Commission of all the matters specified in Article 8 of this Order other than that the loss, injury or damage was the result of Egyptian measures, the Commission shall register the claim and report thereon to Her Majesty's Principal Secretary of State for Foreign Affairs in such manner as he shall direct.

PART V

GENERAL

11. An application shall not be entertained by the Commission for the purposes of this Order unless it is made in accordance with the rules for the time being of the Commission and each application shall be determined by not less than two members of the Commission.

12. In assessing the amount of any loss in accordance with Articles 5 and 9 of this Order the Commission shall have regard to any compensation or recoupment in respect of that loss that the person making the application has received, or is entitled to receive, from any source other than the Fund.

13. This Order shall come into operation on the ninth day of April, 1959, and may be cited as the Foreign Compensation (Egypt) (Determination and Registration of Claims) Order, 1959.

W. G. Agnew.

EXPLANATORY NOTE

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

This Order provides for the determination by the Foreign Compensation Commission of certain claims to participate in compensation received by Her Majesty's Government from the Government of the United Arab Republic under the Agreement between the two Governments of February 28, 1959, concerning Financial and Commercial Relations and British Property in Egypt (Cmnd. 639).

The Order also provides for the Foreign Compensation Commission to register certain other claims to participate in that compensation and to report thereon to Her Majesty's Principal Secretary of State for Foreign Affairs.