1967 No. 394

SOUTHERN RHODESIA

The Southern Rhodesia (Prohibited Trade and Dealings) (Amendment) Order 1967

Made - - - -	15*th March* 1967
Coming into Operation	15*th March* 1967
Laid before Parliament	15*th March* 1967

At the Court at Buckingham Palace, the 15th day of March 1967

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 2 of the Southern Rhodesia Act 1965(a), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation, commencement and construction

1.—(1) This Order may be cited as the Southern Rhodesia (Prohibited Trade and Dealings) (Amendment) Order 1967 and shall come into operation forthwith.

(2) This Order shall be construed as one with the Southern Rhodesia (Prohibited Trade and Dealings) Order 1966(b) (hereinafter referred to as " the principal Order ") and shall be included among the Orders that may be cited together as the Southern Rhodesia (Prohibited Trade and Dealings) Orders 1966 and 1967(c).

Addition of new Article 8A to principal Order

2. The following Article shall be inserted in the principal Order immediately after Article 8:—

" *Transfer of property overseas*

8A.—(1) The property to which this Article applies is property of any description situated outside the United Kingdom in which a person to whom this Article applies has any such interest as is hereinafter described, that is to say, that he owns it or that the ownership of it can be transferred only with his consent or concurrence or that there is vested in him any power (whether alone or when used together with a power vested in any other person) to determine whether the ownership of it should be transferred; and, for the purposes of this Article, the expression " property " includes any interest in or right over any property.

(2) The persons to whom this Article applies are all persons who are citizens of the United Kingdom and Colonies, British subjects without citizenship or British protected persons and all bodies incorporated under the law of the United Kingdom.

(3) If it appears to the Secretary of State that the transfer of the ownership of any property to which this Article applies may facilitate the contravention or evasion of this Order or of the Southern Rhodesia (Petroleum) Order

(a) 1965 c. 76. (b) S.I. 1966/1595 (1966 III, p. 5020).
(c) S.I. 1966/1595, 1967/99 (1966 III, p. 5020, 1967 I, p. 203).

1965(a), he may, for the purpose of preventing or restricting the transfer of the ownership of that property, give to any person to whom this Article applies and who has such an interest in it as aforesaid directions in writing requiring him to take or, as the case may require, to refrain from taking such action in relation to that property as the directions may specify; and any person to whom directions are given under this Article shall comply with them.

(4) Any directions given under this Article may be either general or special, may be subject to or without conditions and may be revoked or varied by subsequent such directions.

(5) Any person who contravenes paragraph (3) of this Article shall be guilty of an offence against this Order.".

Amendment of Article 10 of principal Order

3. Article 10 of the principal Order is amended by the insertion, immediately after paragraph (2) thereof, of the following paragraph as paragraph (2A):—

"(2A) In any proceedings against any person for a contravention of Article 8A(3) of this Order, if it is proved that, notwithstanding any directions given to him under that Article in relation to any property, the ownership of that property or of any interest in or right over that property has been transferred, the burden of proving that he complied with those directions shall lie upon him.".

Authorisation of prosecutions, and powers under Schedule 3 to principal Order

4. The provisions of Articles 9 and 10(5) of the principal Order and of Schedule 3 thereto shall have effect, in relation to compliance with or evasion or contravention of Article 8A of the principal Order (as inserted by this Order), as if, for the references therein to the Treasury, there were substituted references to the Secretary of State, and Article 11(1) of the principal Order shall be construed accordingly.

W. G. Agnew.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the Southern Rhodesia (Prohibited Trade and Dealings) Order 1966 by adding to it certain provisions dealing with property overseas in which certain United Kingdom nationals and bodies corporate have an interest. The Secretary of State is authorised to give directions to any such persons or bodies concerning the transfer of that property if he considers that such transfer might facilitate the contravention or evasion of the Order of 1966 or the Southern Rhodesia (Petroleum) Order 1965.

(a) S.I. 1965/2140 (1965 III, p. 6287).