The Trading with the Enemy (Authorisation) (Germany) (No. 3) Order, 1948

1948 No. 1705

Made - - - - 23rd July, 1948

The Board of Trade in exercise of the powers conferred upon them by Section 1 of the Trading with the Enemy Act, 1939(a) (hereinafter referred to as " the Act "), and of all other powers enabling them in that behalf do hereby make the following Order.

1. Notwithstanding anything contained in Section 1 of the Act, any person who carries on in the United Kingdom the business of banking may, unless the Board of Trade otherwise direct, for the purpose of that business trade with any government, public or other authority within Germany or with any individual or body of persons (whether corporate or unincorporate) resident or carrying on business therein.

2. Notwithstanding anything contained in Section 1 of the Act, any person may, unless the Board of Trade otherwise direct, trade with any individual or body of persons (whether corporate or unincorporate) carrying on the business of banking in Germany.

3. Nothing in this Order shall be taken to authorise the transmission to any person of any money, negotiable instrument or security for money arising out of any transaction entered into before the date of this Order.

4. For the purposes of this Order " trade " shall include:—

(*a*) the carrying on of the business of banking,

(*b*) the entering into and completion of transactions incidental thereto with persons wheresoever resident, and

(*c*) except as provided in Article 3 hereof the paying, transmitting or receiving of any money, negotiable instrument or security for money.

5. For the purposes of this Order " Germany " means Berlin and the French, British, American and Russian Military Zones of Germany as established by the statement by the Governments of the United Kingdom, the United States of America, the Union of Soviet Socialist Republics and the Provisional Government of the French Republic on the zones of occupation in Germany on the 5th June, 1945, and also those parts of the former German Reich which are at present administered by the Union of Soviet Socialist Republics.

6. This Order may be cited as the Trading with the Enemy (Authorisation) (Germany) (No. 3) Order, 1948, and shall come into force on the 23rd day of July, 1948.

Dated this 23rd day of July, 1948.

H. S. Gregory,
An Under Secretary of the
Board of Trade.

EXPLANATORY NOTE

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

This Order provides additional authority to that contained in the Trading with the Enemy (Authorisation) (Germany) Order, 1947 (S.R. & O. 1947, No. 300), the Trading with the Enemy (Authorisation) (Germany) Order,

(a) 2 & 3 Geo. 6. c. 89.

1948 (S.I. 1948, No. 135) and the Trading with the Enemy (Authorisation) (Germany) (No. 2) Order, 1948 (S.I. 1948 No. 725). It authorises persons engaged in this country in the business of banking to trade with persons in Germany and authorises persons in this country to trade with persons carrying on the business of banking in Germany.

The Trading with the Enemy (Authorisation) (Germany) (No. 4) Order, 1948

1948 No. 2086

Made - - - - 14th September, 1948

The Board of Trade in exercise of the powers conferred upon them by Section 1 of the Trading with the Enemy Act, 1939(a) (hereinafter referred to as " the Act ") and of all other powers enabling them in that behalf do hereby make the following Order:—

1. Notwithstanding anything contained in Section 1 of the Act, any person, unless the Board of Trade otherwise direct, may trade in respect of any patent, design or trade mark in Germany with any Government, public or other authority in Germany, or with any individual or body of persons (whether corporate or unincorporate) resident or carrying on business therein.

2. Nothing in this Order shall be taken to authorise the transmission to any person of any money, negotiable instrument or security for money arising out of any transaction entered into before the date of this Order.

3. For the purposes of this Order " trade " shall include:—

(*a*) application for the grant of any patent, or for registration of any design or trade mark,

(*b*) selling, assigning and granting a licence in respect of or otherwise dealing with any such patent, design or trade mark

(*c*) the taking of such steps as may be expedient to protect or enforce any such patent design or trade mark or any rights or interests arising thereunder,

(*d*) except as provided in Article 2 hereof the paying, transmitting or the receiving of any money, negotiable instrument or security for money arising out of or payable in respect of any such patent, design or trade mark or of any such transactions as are hereinbefore authorised,

(*e*) the entering into and completion of transactions incidental to any of the transactions hereinbefore authorised.

4. For the purposes of this Order " Germany " means Berlin and the French, British, American and Russian Military Zones of Germany as established by the Statement by the Governments of the United Kingdom, the United States of America, the Union of Soviet Socialist Republics and the Provisional Government of the French Republic, on the Zones of Occupation in Germany on the 5th June, 1945, and also those parts of the former German Reich which are at present administered by the Union of Soviet Socialist Republics.

5. This Order may be cited as the Trading with the Enemy (Authorisation) (Germany) (No. 4) Order, 1948.

Dated this 14th day of September, 1948.

J. H. Woods,
Secretary of the Board of Trade.

(a) 2 & 3 Geo. 6. c. 89.