EXPLANATORY NOTE

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

The Third Schedule to the Town and Country Planning (Scotland) Act, 1947, sets out certain classes of development which an owner of land is assumed to have permission to undertake, when assessments of compensation or development charge are being made under the Act. Paragraph 5 of Part II of that Schedule provides that one of such classes shall be, in the case of a building or other land which was used on the appointed day (1st July, 1948—see S.I. 1948 No. 265) or, if unoccupied on that day, was last used since 7th January, 1937, for a purpose within any general class specified in an Order, made by the Secretary of State, the use of that building or land for any other purpose falling within the same general class. This Order specifies the general classes accordingly.

An Order of the same date (S.I. 1948 No. 966) made under section 10 of the Act and specifying identical classes, provides that changes of use within these classes shall not involve development. That Order, however, may at any time be amended or revoked, while, in the case of this Order, the Act provides that it shall not be amended or revoked at any time after the appointed day (see section 107 (4)).

TRADING WITH THE ENEMY

1. *Authorisations.*
2. *Transfer of Negotiable Instruments*, p. 4367.
3. *Enemy Territory Cessation*, p. 4373.
4. *Custodian of Enemy Property*, p. 4381.

1. AUTHORISATIONS

GERMANY

The Trading with the Enemy (Authorisation) (Germany) Order, 1948

1948 No. 135

Made - - - - 28th January, 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, except as provided in Article 2 hereof, carry on in Germany the business of insurance and for that purpose may trade within Germany with any government, public or other authority or with any individual or body of persons (whether corporate or unincorporate) resident or carrying on business therein.

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

2. This licence shall not extend to or authorise the transmission to any person in Germany of any money, negotiable instrument or security for money arising out of any contract of insurance or re-insurance entered into before the date of this Order.

3. For the purposes of this Order " insurance " shall include (*a*) transactions incidental thereto and (*b*) except as provided in Article 2 hereof the paying, transmitting or receiving of any money, negotiable instrument or security for money in respect of such insurance.

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) Order, 1948, and shall come into force on the 28th day of January, 1948.

Dated this 28th day of January, 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, which provides additional authority to that contained in the Trading with the Enemy (Authorisation) (Germany) Order, 1947, No. 300 enables any person to carry on in Germany the business of insurance with persons and concerns there, subject to the prohibition of the transmission to Germany of any money, negotiable instrument or security for money arising out of any contract entered into before the date of this Order.

The Trading with the Enemy (Authorisation) (Germany) (No. 2) Order, 1948

1948 No. 725

Made - - - - 8*th April,* 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.

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