## (2) SPECIFIED COUNTRIES

### GERMANY

# The Trading with the Enemy (Custodian) (Amendment) (Germany) Order, 1948

## 1948 No. 134

*Made - - - -* *28th January,* 1948

The Board of Trade in exercise of the powers conferred upon them by Section 7 of the Trading with the Enemy Act, 1939(a), and of all other powers enabling them in that behalf do hereby make the following Order.

**1.** Articles 1, 4 and 5 of the Trading with the Enemy (Custodian) Order, 1939(b) (requiring payment of certain moneys to the Custodian and imposing restrictions and requirements in regard to certain property in the United Kingdom) shall not apply to:—

(*a*) any money which would but for the existence of a state of war become payable to or for the benefit of any person within the description contained in Article 2 of this Order on or after the date when this Order comes into force by reason of any business authorised by Article 1 of the Trading with the Enemy (Authorisation) (Germany) Order, 1948(c);

(*b*) any property which on or after the date when this Order comes into force comes into the ownership of such person as aforesaid by reason of any such trade as aforesaid.

**2.** This Order shall apply to any government, public or other authority in Germany, any individual resident in Germany, and as respects any business carried on in Germany, to any individual or body of persons (whether corporate or unincorporate) carrying on that business.

**3.** For the purposes of this Order the expression "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.

**4.** This Order may be cited as the Trading with the Enemy (Custodian) (Amendment) (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.

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(a) 2 & 3 Geo. 6. c. 89. (b) S.R. & O. 1939 (No. 1198) II, p. 3202.
(c) S.I. 1948 No. 135, p. 4360 above.

EXPLANATORY NOTE

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

By an Order dated 28th January, 1948 (S.I. 1948 No. 135) the Board of Trade authorised the transaction of the business of insurance with persons and concerns in Germany. The present Order removes Board of Trade and Custodian control over money and property accruing in consequence of this authorisation.

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# The Trading with the Enemy (Custodian) (Amendment) (Germany) (No. 2) Order, 1948

## 1948 No. 727

*Made - - - - 8th April,* 1948

The Board of Trade in exercise of the powers conferred upon them by Section 7 of the Trading with the Enemy Act, 1939(a), and of all other powers enabling them in that behalf do hereby make the following Order.

**1.** Articles 1, 4 and 5 of the Trading with the Enemy (Custodian) Order, 1939(b) (requiring payment of certain monies to the Custodian and imposing restrictions and requirements in regard to certain property in the United Kingdom) shall not apply to:—

(*a*) any money which would but for the existence of a state of war become payable to or for the benefit of any person to whom this Order applies on or after the date of this Order by reason of any trade authorised by Article 1 of the Trading with the Enemy (Authorisation) (Germany) (No. 2) Order, 1948(c);

(*b*) any patent granted, and any design or trade mark registered as a result of an application made on or after the date of this Order by a person to whom this Order applies;

(*c*) any money or other property which on or after the date of this Order comes into the ownership of any such person as aforesaid by reason of any such trade as aforesaid.

**2.** This Order shall apply

(*a*) to any government, public or other authority in Germany,

(*b*) to any individual resident in Germany,

(*c*) as respects any business carried on in Germany, to any individual or body of persons (whether corporate or unincorporate) carrying on that business.

**3.** 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

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(a) 2 & 3 Geo. 6. c. 89.
(b) S.R. & O. 1939 (No. 1198) II, p. 3202.
(c) S.I. 1948 No. 725, p. 4361 above.