(2) The Interpretation Act, 1889(a), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

Dated this 29th day of March, 1949.

On behalf of the Treasury.

H. Wilson Smith,
Second Secretary.

SCHEDULE

The Trading with the Enemy (Transfer of Negotiable Instruments, etc.) (Germany) Order, 1947(b).
The Trading with the Enemy (Transfer of Negotiable Instruments, etc.) (Germany) Order, 1948(c).
The Trading with the Enemy (Transfer of Negotiable Instruments, etc.) (Germany) (No. 2) Order, 1948(d).
The Trading with the Enemy (Transfer of Negotiable Instruments, etc.) (Germany) (No. 3) Order, 1948(e).

EXPLANATORY NOTE

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

By an Order dated 29th March, 1949 (S.I. 1949, No. 607), the Board of Trade have amended the Trading with the Enemy (Custodian) Order so that its provisions cease to apply to money remitted to persons specified in the Order on or after 29th March, 1949, within the authority given therein. This present Treasury Order sanctions transfers and assignment of choses in action, negotiable instruments and certain securities transferable by delivery which may be made to such persons on or after the date of this Order.

3. CUSTODIAN OF ENEMY PROPERTY

(1) *General Provisions.* | (2) *Germany*, p. 4095.

(1) GENERAL PROVISIONS

The Trading with the Enemy (Custodian) Order, 1949

1949 No. 1083

Made - - - - 9th June, 1949

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

1. There shall vest in the Custodian of Enemy Property for England (hereinafter referred to as "the said Custodian") all the rights to receive payment in respect of an interest in land situate in England which were vested in any enemy by Section 64 of the Town and Country Planning Act, 1947(g).

(a) 52 & 53 Vict. c. 63.
(b) S.R. & O. 1947 (No. 301) I, p. 2183.
(c) S.I. 1948 (No. 726) I, p. 4367.
(d) S.I. 1948 (No. 1706) I, p. 4369.
(e) S.I. 1948 (No. 2087) I, p. 4370.
(f) 2 & 3 Geo. 6. c. 89.
(g) 10 & 11 Geo. 6. c. 51.

2. The said Custodian shall be at liberty to assign any rights vested in him under this Order.

3. The said Custodian is to be at liberty to exercise all the rights vested in him under this Order and for that purpose the said Custodian shall have power to take such steps as to the said Custodian may seem expedient.

4. Out of pocket payments duly made by the said Custodian in exercise of his powers under this Order shall be reimbursed to the said Custodian out of any monies paid to him as a result of the exercise of such powers and shall be chargeable accordingly.

5. For the purposes of this Order

(i) " Enemy " means:—

(*a*) Germany or Japan or the Sovereign thereof,

(*b*) any individual resident in Germany or Japan,

(*c*) any body of persons constituted or incorporated under the laws of Germany or Japan,

(*d*) any body of persons (whether corporate or unincorporate) carrying on business in any place, if and so long as the body is controlled by any State, Sovereign, individual or body of persons as aforesaid, and

(*e*) as respects any business carried on in any such area as aforesaid, any individual or body of persons (whether corporate or unincorporate) carrying on that business in such territory.

(ii) " Germany " means Berlin, and the French, British, United States and Russian Zones of occupation, including those parts of the French and British Zones which are at present administered respectively by France, Belgium, Luxembourg and the Netherlands, and also those parts of the former German Reich which are at present administered respectively by the Union of Soviet Socialist Republics and Poland.

(iii) " Japan " means all territory which was under Japanese sovereignty on the 7th December, 1941.

6.—(i) The Interpretation Act, 1889(**a**), shall apply to this Order as if it were an Act of Parliament.

(ii) This Order may be cited as the Trading with the Enemy (Custodian) Order, 1949.

Dated this 9th day of June, 1949.

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 vests in the Custodian the right to receive any payment under Section 64 of the Town and Country Planning Act in respect of an interest in land of which the owner, as on the 1st July, 1948, is an enemy.

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