2. TRANSFER OF NEGOTIABLE INSTRUMENTS

The Trading with the Enemy (Transfer of Negotiable Instruments, etc.) (Germany) Order, 1949

1949 No. 606

Made - - - - 29th March, 1949

The Treasury, in pursuance of the powers conferred upon them by Section 4 of the Trading with the Enemy Act, 1939(a) (hereinafter referred to as "the Act") (which renders ineffective, except with the sanction of the Treasury, the transfer by or on behalf of enemies of negotiable instruments and choses in action) and of all other powers enabling them in that behalf, hereby make the following Order.

1. The Treasury do hereby sanction

(*a*) any assignment of a chose in action which, on or after the date of this Order, comes into the ownership of an authority or a person to whom this Order applies,

(*b*) any transfer of a negotiable instrument issued on or after that date, and

(*c*) any transfer of any security transferable by delivery, not being a bond, a coupon or a negotiable instrument, which on or after that date comes into the ownership of an authority or a person to whom this Order applies,

being an assignment or transfer made on or after the date of this Order within the authority given by the Trading with the Enemy (Authorisation) (Germany) Order, 1949(b), by or on behalf of an authority or a person to whom this Order applies.

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 purpose 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 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. In the application of this Order to Scotland "chose in action" means "right of action or incorporeal moveable".

5. The Orders specified in the schedule hereto are hereby revoked.

6.—(1) This Order may be cited as the Trading with the Enemy (Transfer of Negotiable Instruments, etc.) (Germany) Order, 1949.

(a) 2 & 3 Geo. 6. c. 89. (b) S.I. 1949 No. 605, p. 4090 above.

(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.