SCHEDULE

1. The Trading with the Enemy (Custodian) (Amendment) (Japan) Order, 1947(a).

2. The Trading with the Enemy (Custodian) (Amendment) (Japan) Order, 1948(b).

3. The Trading with the Enemy (Custodian) (Amendment) (Japan) (No. 2) Order, 1948(c).

EXPLANATORY NOTE

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

By an Order dated 6th January, 1950 (S.I. 1950 No. 28) the Board of Trade has authorised trade with persons in Japan. Japanese property and property rights in the United Kingdom at the date of this Order and property (which includes income) arising now or in future from such property continue under Board of Trade and Custodian control. The present Order removes Board of Trade and Custodian control over money and property accruing in consequence of the authorisation to trade and over money and property which became subject to Board of Trade and Custodian control solely because persons in Japan became resident or began to carry on business there on or after 15th August, 1947. Certain earlier Orders are revoked.

TRANSFER OF NEGOTIABLE INSTRUMENTS, ETC.

The Trading with the Enemy (Transfer of Negotiable Instruments, etc.) (Germany) Order, 1950

1950 No. 1729

Made - - - - 27th October, 1950

The Treasury, in pursuance of the powers conferred upon them by section 4 of the Trading with the Enemy Act, 1939(d) (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

(a) S.R. & O. 1947 (No. 1033) I, p. 2190. (b) S.I. 1948 (No. 2486) I, p. 4387.
(c) S.I. 1948 (No. 2814) I, p. 4388. (d) 2 & 3 Geo. 6. c. 89.

(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 by reason of any trade authorised by Article 1 of the Trading with the Enemy (Authorisation) (Germany) Order, 1950(a), by or on behalf of an authority or a person to whom this Order applies.

2. This Order applies

(i) to any government, public or other authority in Germany;

(ii) to any individual resident in Germany;

(iii) 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 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.—(1) This Order may be cited as the Trading with the Enemy (Transfer of Negotiable Instruments, etc.) (Germany) Order, 1950.

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

Dated this 27th day of October, 1950.

On behalf of the Treasury,

H. Wilson Smith,
Second Secretary.

EXPLANATORY NOTE

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

By an order dated 27th October, 1950 (1730) 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 27th October, 1950, within the authority given therein. The present Treasury Order sanctions transfers and assignments 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.

(a) S.I. 1950 No. 1728, p. 1145 above. (b) 52 & 53 Vict. c. 63.