

TRADING WITH THE ENEMY

- | | | |
|--|--|--|
| <p>1. <i>Authorisations.</i>
 2. <i>Transfer of Negotiable Instruments</i>, p. 4092.</p> | | <p>3. <i>Custodian of Enemy Property</i>, p. 4093.</p> |
|--|--|--|

1. AUTHORISATIONS

The Trading with the Enemy (Authorisation) (Germany) Order, 1949

1949 No. 605

Made - - - - 29th March, 1949

The Board of Trade in exercise of the powers conferred upon them by Sections 1 and 5 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 trade except as provided in Article 3 hereof with any person to whom this Order applies.

2.—(i) The transfer by or on behalf of any person within the description contained in Article 4 of this Order of any annuities, stocks, shares, bonds, debentures or debenture stock registered or inscribed in any register, branch register or other book kept in the United Kingdom which, on or after the date of this Order, come into the ownership of any such person as aforesaid, is hereby sanctioned.

(ii) The Board of Trade hereby consent to the allotment or transfer of any securities as defined in paragraph (i) of this Article to or for the benefit of any individual who is an enemy subject resident in Germany or any body of persons constituted or incorporated in, or under the laws of, Germany.

3. As regards any property situate in the United Kingdom and the Channel Islands belonging to or held or managed at the date of this Order on behalf of any person to whom this Order applies and as regards any property arising presently or at any future time out of such property this Licence shall not, except in the case of anything done under an authority, given generally or specially by, or by any person authorised in that behalf by, a Secretary of State, the Treasury or the Board of Trade, extend to or authorise any trade in respect thereof.

4. 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.

5. For the purposes of this Order

- (i) "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.

- (ii) "property" means real or personal property, and includes any estate or interest in real or personal property, any negotiable instrument, debt or other chose in action, and any other right or interest, whether in possession or not.

6. The Licences and Orders specified in the Schedule hereto are hereby revoked.

7.—(1) This Order may be cited as the Trading with the Enemy (Authorisation) (Germany) Order, 1949.

(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.

H. S. Gregory,
An Under-Secretary of the
Board of Trade.

SCHEDULE

1. Licence dated 3rd December, 1946(b).
2. Licence dated 10th December, 1946(c).
3. Licence dated 11th January, 1947(d).
4. Trading with the Enemy (Authorisation) (Germany) Order, 1947(e).
5. Trading with the Enemy (Authorisation) (Germany) Order, 1948(f).
6. Trading with the Enemy (Authorisation) (Germany) (No. 2) Order, 1948(g).
7. Trading with the Enemy (Authorisation) (Germany) (No. 3) Order, 1948(h).
8. Trading with the Enemy (Authorisation) (Germany) (No. 4) Order, 1948(i).

EXPLANATORY NOTE

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

This Order authorises unrestricted trade with persons in Germany except in respect of German property and property rights in the United Kingdom at the date of this Order and of income derived therefrom. It further permits the allotment or transfer of securities as defined to individuals and bodies of persons in Germany. Certain earlier Orders which authorised trade to a limited degree with that country are revoked.

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

(c) S.R. & O. 1946 (No. 2089) I, p. 1669.

(e) S.R. & O. 1947 (No. 300) I, p. 2176.

(g) S.I. 1948 (No. 725) I, p. 4361.

(b) S.R. & O. 1946 (No. 2044) I, p. 1669.

(d) S.R. & O. 1947 (No. 64) I, p. 2175.

(f) S.I. 1948 (No. 135) I, p. 4360.

(h) S.I. 1948 (No. 1705) I, p. 4363.

(i) S.I. 1948 (No. 2086) I, p. 4364.