
THE TRADING WITH THE ENEMY (CUSTODIAN) (No. 2)
ORDER, 1945, DATED JULY 21, 1945, MADE BY THE
BOARD OF TRADE UNDER SECTION 7 OF THE TRADING
WITH THE ENEMY ACT, 1939 (2 & 3 GEO. 6. C. 89).

1945 No. 887

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

1. There shall vest in the Custodian—

- (i) any debt which would, but for the existence of a state of war, be payable to or for the benefit of a person who is an enemy for the purposes of this Order,
- (ii) in respect of any moneys which would, but for the existence of a state of war, be payable to or for the benefit of a person who is such an enemy as aforesaid all the right title and interest of any such person as aforesaid.

Provided nevertheless that if in any case the vesting in the Custodian of any such debt or any such right title or interest as aforesaid would cause a forfeiture of determination of such debt or right title or interest as aforesaid then in any such case this Order shall not have the effect of vesting the same in the Custodian.

2. For the purposes of this Order the expression “enemy” is confined to—

- (a) any State or Sovereign of a State at war with His Majesty,
- (b) any individual resident in any area under the sovereignty of a Power with whom His Majesty is at war, not being an area occupied before the 10th July, 1943, by His Majesty or by a power allied with His Majesty,
- (c) any body of persons constituted or incorporated under the laws of a State at war with His Majesty,
- (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.

3. The Interpretation Act, 1889, shall apply to this Order as if it were an Act of Parliament. 52 & 53 Vict.
c. 63.

4. This Order may be cited as the Trading with the Enemy (Custodian) (No. 2) Order, 1945.

Dated this 21st day of July, 1945.

E. H. Hodgson,
A Secretary of the Board of Trade.