

2. Custodian of Enemy Property

THE TRADING WITH THE ENEMY (CUSTODIAN) (AMENDMENT) ORDER, 1940, DATED JANUARY 23, 1940, MADE BY THE BOARD OF TRADE UNDER SECTION 7 OF THE TRADING WITH THE ENEMY ACT, 1939 (2 & 3 GEO. 6. C. 89).

1940 No. 94

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 do hereby make the following Order:—

1. There shall be inserted at the end of paragraph (iv) of Article 1 of the Trading with the Enemy (Custodian) Order, 1939(a), the following sub-paragraph:—

“(d) In cases in which money would, but for the existence of a state of war, be payable in a foreign currency to or for the benefit of a person who is an enemy (other than cases in which money is payable under a contract in which provision is made for a specified rate of exchange), in English currency at the middle official rate of exchange fixed by the Bank of England on the date on which the payment became due to that person, or the middle rate of exchange for telegraphic transfers in London on that date, or if there was no such rate on that date at such rate as the Treasury may determine as appropriate for ascertaining the value in English currency of the money payable on that date”.

2.—(i) This Order may be cited as the Trading with the Enemy (Custodian) (Amendment) Order, 1940.

(ii) 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 the 23rd day of January, 1940.

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