

Enemy Territory Cessation

British Territories

THE TRADING WITH THE ENEMY (ENEMY TERRITORY CESSATION) (BRITISH TERRITORIES) ORDER, 1945, DATED NOVEMBER 19, 1945, MADE BY THE BOARD OF TRADE.

1945 No. 1446

The Board of Trade in pursuance of the powers conferred upon them by Section 1 of the Trading with the Enemy Act, 1939(a) (hereinafter called "the Act"), Regulation 6 of the Defence (Trading with the Enemy) Regulations, 1940(b), and of all other powers enabling them in that behalf, hereby order as follows:—

1. The territories described in the Schedule attached to this Order shall for the purposes of Sections 3A, 4, 5 and 7 of the Act and for the purposes of any order made under Section 7 cease to be treated as if they were enemy territory as from the date of this Order.

2. Notwithstanding anything contained in Section 1 of the Act, any person, unless the Board of Trade otherwise direct, may trade within the said territories with any individual or body of persons (whether corporate or unincorporate) carrying on business therein.

3. This Order may be cited as the Trading with the Enemy (Enemy Territory Cessation) (British Territories) Order, 1945.

Dated this 19th day of November, 1945.

E. H. Hodgson,

A Secretary of the Board of Trade.

SCHEDULE

All parts of His Majesty's Dominions and all territories under His Majesty's protection (including any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty) which immediately preceded the making of this Order were to be treated as enemy territory for the purposes of Sections 3A, 4, 5 and 7 of the Act and for the purposes of any order made under Section 7 by virtue of Regulation 6 of the Defence (Trading with the Enemy) Regulations 1940(b).

EXPLANATORY NOTE

Regulation 6 of the Defence (Trading with the Enemy) Regulations, 1940, continued the Board of Trade control over the property in the United Kingdom of persons in areas which have ceased to be in the occupation of the enemy, until it is otherwise decided.

(a) 2 & 3 Geo. 6. c. 89.

(b) See S.R. & O. 1943 (No. 1034) II, p. 77.

Paragraph 1 of the present Order provides for the removal of this control in respect of persons resident or carrying on business in the territories scheduled, except of those who still remain within the definition of "enemy" under the Act, e.g. by reason of Japanese incorporation.

Paragraph 2 of the present Order removes any restriction, so far as Section 1 of the Trading with the Enemy Act, 1939, is concerned, on trading within the territories scheduled, with any person carrying on business therein.
