

Belgium and Luxembourg

THE TRADING WITH THE ENEMY (TRANSFER OF NEGOTIABLE INSTRUMENTS, ETC.) (BELGIUM AND LUXEMBOURG) ORDER, 1945, DATED JULY 19, 1945, MADE BY THE TREASURY UNDER SECTION 4 OF THE TRADING WITH THE ENEMY ACT, 1939 (2 & 3 GEO. 6. C. 89).

1945 No. 859

The Treasury, in pursuance of the powers conferred on them by Section 4 of the Trading with the Enemy Act, 1939 (hereinafter referred to as "the Act") (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 Trading with the Enemy (Transfer of Negotiable Instruments, etc.) Order, 1945(a), is hereby revoked.
2. The Treasury do hereby sanction—
 - (a) any assignment of a chose in action,
 - (b) any transfer of a negotiable instrument, and
 - (c) any transfer of any coupon or other security transferable by delivery, not being a negotiable instrument,being an assignment or transfer made on or after the date of this Order by or on behalf of a person to whom this Order applies.
3. This Order applies—
 - (a) to any individual resident in Belgium or the Grand Duchy of Luxembourg,
 - (b) as respects any business carried on in Belgium or the Grand Duchy of Luxembourg, to any individual or body of persons (whether corporate or unincorporate) carrying on that business,
 - (c) as respects any business carried on in any territory which is neither enemy territory nor an area which is for the time being to be treated as enemy territory for the purposes of Section 4 of the Act in accordance with the provisions of Regulation 6 or Regulation 7 of the Defence (Trading with the Enemy) Regulations, 1940(b), to any body of persons (whether corporate or unincorporate) carrying on that business if and so long as the body is controlled by any individual resident in, or body of persons carrying on business in Belgium or the Grand Duchy of Luxembourg.
4. In the application of this Order to Scotland "chose in action" means "right of action or incorporeal movable".

(a) See footnote (b) to p. 151 above.

Transfer of Negotiable Instruments, &c. (Czechoslovakia)

5. This Order may be cited as the Trading with the Enemy (Transfer of Negotiable Instruments, etc.) (Belgium and Luxembourg) Order, 1945.

Dated this 19th day of July, 1945.

On behalf of the Treasury,
W. Eady,
Second Secretary.

EXPLANATORY NOTE

By an Order dated July 19, 1945 (S.R. & O. 1945 No. 860) the Board of Trade have amended the Trading with the Enemy (Custodian) Order so that its provisions cease to apply to money payable to, and property acquired by, the persons specified in the Order on or after that date. This present Treasury Order sanctions transfers or assignments of choses in action or negotiable instruments which may be made by or on behalf of such persons on or after the date of the Order.
