

(2) Specified Countries

Austria

THE TRADING WITH THE ENEMY (TRANSFER OF NEGOTIABLE INSTRUMENTS, ETC.) (AUSTRIA) ORDER, 1947, DATED OCTOBER 14, 1947, MADE BY THE TREASURY UNDER SECTION 4 OF THE TRADING WITH THE ENEMY ACT, 1939 (2 & 3 Geo. 6. c. 89).

1947 No. 2204

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 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 by reason of any trade authorised by Article 1 of the Trading with the Enemy (Authorisation) (Austria)

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

Transfer of Negotiable Instruments (Austria)

Order, 1947 (a), on or after the date of this Order by or on behalf of a person to whom this Order applies.

2. This Order applies—

- (a) to any individual resident in Austria,
- (b) as respects any business carried on in Austria 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 not 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 Austria.

3. In the application of this Order to Scotland “choses in action” means “right of action or incorporeal movable”.

4. The Trading with the Enemy (Transfer of Negotiable Instruments, etc.) (Austria) Order, 1936(c), is hereby revoked.

5. This Order may be cited as the Trading with the Enemy (Transfer of Negotiable Instruments, etc.) (Austria) Order, 1947.

Dated this 14th day of October, 1947.

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

EXPLANATORY NOTE

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

In consequence of the Declaration of the formal termination of the State of War between the United Kingdom and Austria, published in the London Gazette on the 16th September, 1947, the Board of Trade have by an Order dated the 14th October, 1947 (S.R. & O. 1947 No. 2203), widened the scope of the trade hitherto allowed between these two countries. This present Treasury Order sanctions transfers and assignments of choses in action, negotiable instruments and certain securities transferable by delivery in respect of this widened trade.

(a) S. R. & O. 1947 No. 2203, p. 190 above.

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

(c) S. R. & O. 1946 (No. 1374) I, p. 1678.