

Poland

THE TRADING WITH THE ENEMY (TRANSFER OF NEGOTIABLE INSTRUMENTS, ETC.) (POLAND) ORDER, 1946, DATED JULY 9, 1946, MADE BY THE TREASURY UNDER SECTION 4 OF THE TRADING WITH THE ENEMY ACT, 1939 (2 & 3 GEO. 6. C. 89).

1946 No. 1060

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

TRADING WITH THE ENEMY

2. This Order applies—

- (a) to any individual resident in Poland,
- (b) as respects any business carried on in Poland, 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(a), 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, Poland.

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

4. For the purposes of this Order “Poland” means—

- (a) all the territory of the Republic of Poland limited in the East by the boundary defined in the Agreement of 16th August, 1945, between Poland and the Union of Soviet Socialist Republics; and
- (b) any other territories for the time being administered by the Government of the Republic of Poland.

5. This Order may be cited as the Trading with the Enemy (Transfer of Negotiable Instruments, etc.) (Poland) Order, 1946.

Dated this 9th day of July, 1946.

On behalf of the Treasury,
B. W. Gilbert,
Second Secretary.

EXPLANATORY NOTE

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

By an Order dated 9th July, 1946 (S.R. & O. 1946 No. 1061) 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.

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