

TRINIDAD AND TOBAGO.

No. 57 — 1921.

I ASSENT,



Acting Governor.

12th December, 1921.

AN ORDINANCE relating to Enemy property vested in the Custodian of Enemy property under the Trading with the Enemy Ordinances.

[1st September, 1921.]

BE it enacted by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Custodian of Short title.
Enemy Property (direction) Ordinance, 1921.

2. The expression "enemy property" in this Ordinance means all moneys paid or to be paid to and all property vested in or transferred or to be transferred to the Custodian of enemy property (hereinafter called the Custodian) under the Trading with the Enemy Ordinances, or any of them, and the proceeds of liquidation of such property and the investments (if any) representing the same, or the residue

Definition of
"Enemy
property."

[Price 2d.]

of such moneys, property, proceeds of liquidation and investments remaining in the hands or under the control of the Custodian after the carrying out by him of any order, direction, decision or instruction, made or given by the Governor or the Supreme Court or a Judge thereof, and the exercise or purported exercise by him of his duties under the same Ordinances, except:—

Definition of
"excepted
Enemy
property."

- (1.) Such part thereof respectively as has been or shall be paid to, vested in or transferred to or is now held by the Custodian, by reason of the owner or former owner thereof being or being deemed to be a subject of or resident or carrying on business in the former Ottoman Empire; and
- (2.) (a) Any interest, share, rights or title of any national of the former Kingdom of Hungary or resident or person carrying on business within the territory of that Kingdom, in, of or to any British Letters Patent or any application for any British Letters Patent which have been vested in or granted to the Custodian under the provisions of the Trading with the Enemy Ordinances;
- (b) Any interest, share, rights or title of any national of the former Kingdom of Hungary or resident or person carrying on business within the territory of that Kingdom, in, of or to any British copyrights which have been vested in the Custodian under the provisions of the Trading with the Enemy Ordinances or any of such Ordinances, and of the Trading with the Enemy (Copyright) Act, 1916, or any money arising from the exercise by the Custodian of his rights as the owner of any such copyright;

which excepted property is hereinafter called "excepted Enemy Property."

Enemy
property made
subject to
certain
charges.

3. Except so far as may have been otherwise directed by the Governor or the Supreme Court or a Judge thereof, enemy property shall be and become subject as from the

date of the commencement of this Ordinance to the provisions of the Local Clearing Office (Enemy debts) Ordinance, 1920 (No. 24 of 1920), the Local Clearing Office (Austrian debts) Ordinance, 1920 (No. 52 of 1920) and the Local Clearing Office (Hungarian debts) Ordinance, 1921 (No. 56 of 1921) and to the charges created thereunder in the same way and to the same extent as it would be so subject if it had been held at the dates of the coming into force of the respective Treaties of Peace with Germany, Austria, Bulgaria and Hungary, on behalf of the persons who were or would but for the same having been paid or transferred to or vested in the Custodian, have been then entitled thereto.

Provided that nothing in those Ordinances or herein shall operate to require any enemy property which has been or shall be released from the charges thereby respectively established to be credited or accounted for to an ex-enemy Government.

4. All enemy property shall be subject to deduction of the costs and charges relating thereto, and a commission of two per centum for the remuneration and office expenses of the Custodian.

Custodian's
costs, charges
and
commission.

5. Nothing herein contained shall prejudice or affect the execution and carrying out of any order, direction, decision or instruction made or given by the Governor or the Supreme Court or a Judge thereof in respect of any enemy property so far as the same shall not have been fully executed or carried out or the continuance of any legal or other proceedings to which in consequence of any such order, direction, decision or instruction or in the exercise or purported exercise of his duties under the Trading with the Enemy Ordinances the Custodian is a party. Provided that when by any order of the Governor or the Supreme Court or a Judge thereof it has been provided that any enemy property shall not be dealt with without further order or without notice to any particular person or persons, such provision shall cease to be operative at the expiration of six months from the date of the commencement of this Ordinance, except in so far as in the meantime the person or persons in question shall by notice in writing to the Custodian have asserted some right or interest in the enemy property in such order referred to.

Saving
existing
orders,
proceedings,
etc.

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Claims for
income tax,
death duties,
etc.

6. Nothing herein contained shall prejudice or affect any claim on behalf of His Majesty in respect of income tax, death duties or other revenue, charge or impost against enemy property, or the owners or former owners thereof and the Custodian or the Administrator of Austrian, Bulgarian or Hungarian property as the case may be shall have power to settle, agree and out of the appropriate enemy property and the proceeds thereof pay or provide for any such claim.

How excepted
enemy
property to be
held by
Custodian.

7. Excepted enemy property shall be held by the Custodian subject to the same direction as the same is now held until His Majesty by Order in Council shall otherwise direct.

Commence-
ment.

8. This Ordinance shall be deemed to have commenced and come into operation at midnight on the 31st day of August, 1921.

Passed in Council this second day of December, in the year of Our Lord one thousand nine hundred and twenty-one.

John De Woburn

Acting Clerk of the Council.