
STATUTORY INSTRUMENTS

1952 No. 862

The Japanese Treaty of Peace Order 1952

1.—(1) In this Order

- (i) “The Dominions” means Canada, Australia, New Zealand, the Union of South Africa, Pakistan and Ceylon and also includes any territory administered by the Government of any of those Dominions.
- (ii) “Japanese person” means
- (a) the Japanese State and the Sovereign of Japan;
 - (b) a Japanese national, that is to say, a subject or citizen of Japan or any body of persons (whether corporate or unincorporate) constituted or incorporated according to the laws of Japan or any of its dependent territories;
 - (c) any person acting for or on behalf of the Japanese State, the Sovereign of Japan or a Japanese national; or
 - (d) any body of persons (whether corporate or unincorporate) owned or controlled by the Japanese State, the Sovereign of Japan or a Japanese national.
- (iii) “Japanese property” means any property, rights or interests within Her Majesty's dominions (except the Dominions) and the Protected Territories, belonging to a Japanese person and shall include any property, rights or interests which belonged to or were held or managed on behalf of a Japanese person at the time such property, rights or interests became vested in or payable to a Custodian of Enemy Property or otherwise became subject to control by the Board of Trade under the Trading with the Enemy Act, 1939, together with the net proceeds of the sale, liquidation or other dealings by a Custodian of Enemy Property with any such property, rights or interests and any income derived by any such Custodian directly therefrom but shall not include
- (a) any property, rights or interests specified in sub-paragraph 2(II) of paragraph (a) of Article 14 of the Treaty or
 - (b) any property, rights or interests which are the subject of proceedings in any British Prize Court or
 - (c) any moneys received by a Custodian of Enemy Property by virtue of any investment made by him in pursuance of the powers conferred upon him by the Trading with the Enemy Investment Order, 1940(1).
- (iv) “Property, rights and interests” means real and personal property, and any estate or interest in real or personal property, any negotiable instrument, any debt or other chose in action, and any other right or interest, whether in possession or not.
- (2) Any reference to the Trading with the Enemy Act, 1939, shall be construed as a reference to that Act as amended by or under any other Act.
- (3) The Interpretation Act, 1889, applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

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