
STATUTORY INSTRUMENTS

1952 No. 862

The Japanese Treaty of Peace Order 1952

- 23.** In the application of this Order to the Channel Islands—
- (a) in Article 26 for the reference to the 7th day of May, 1952, there shall be substituted a reference to the day on which the Order is registered in the appropriate Court;
 - (b) any reference to the Trading with the Enemy Act, 1939, shall be construed as a reference to that Act as extended to the Channel Islands by the Trading with the Enemy (Channel Islands) Order in Council, 1940(1);
 - (c) no transfer under this Order of any real property situate in the Channel Islands shall have effect until registered in the Public Registry of Deeds of the Island in which the property is situate, by order of the Court thereof;
 - (d) for Paragraph (3) of Article 10 there shall be substituted the following Paragraph:—

“(3) A Vesting Order as respects property of any description shall upon registration by the Royal Court be sufficient to vest in the Administrator any property or the right to transfer any property as provided by the Vesting Order without the necessity for any further conveyance, assurance or document.”;

and all Orders made by the Board of Trade under this Order shall be communicated to the Bailiff of Jersey or Guernsey, as the case may be, and shall be presented by him to the Royal Court of Jersey or the Royal Court of the Bailiwick of Guernsey, as the case may be, for registration and no such Order shall come into force until so registered;
 - (e) any proceedings under Paragraph (4) of Article 9 for the recovery of any property situate in the Channel Islands shall be brought in the appropriate Court and process against the Administrator in any such proceedings shall be sufficiently served if addressed to the Administrator and served at the Offices of the Law Officers of the Crown for Jersey or Guernsey, as the case may be;
 - (f) for Article 5 there shall be substituted the following Article:—

“5. Where any right or interest in the personal estate of a deceased person is Japanese property, the Court having jurisdiction to grant letters of administration of the estate shall, at the request in writing of the Administrator and upon the production of the certificate of the Administrator specifying the right or interest which is Japanese property and whether or not a previous grant of such letters has been made in respect of that estate, grant such letters as respects such Japanese property to the Administrator by the name of the Administrator of Japanese Property without requiring the Administrator or any sureties to enter into an administration bond and thereupon the Administrator shall be exclusively entitled to act in the administration of that estate in so far as such Japanese property is concerned.”.

In this Article “Guernsey” means the Bailiwick of Guernsey and “the appropriate Court” means, in relation to Jersey, the Royal Court of Jersey and, in relation to Guernsey, the Royal Court of Guernsey.

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