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STATUTORY INSTRUMENTS

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**1952 No. 862**

**The Japanese Treaty of Peace Order 1952**

9.—(1) Any person having the possession, control or management of any Japanese property transferable by delivery shall, on being so required by the Administrator, deliver the property to him and the Administrator shall have power to sell or otherwise deal with the property so delivered to him.

(2) When Japanese property consists of any sum of money due to a Japanese person it shall be paid to the Administrator who shall have power to enforce payment thereof, and for that purpose shall have all such rights and powers as if he were the creditor.

(3) When Japanese property consists of any property, rights or interests in the possession of a Custodian of Enemy Property, that Custodian shall, on being so required by the Administrator, either sell the property and pay the proceeds thereof to the Administrator or deliver, transfer or pay the property to the Administrator and the Administrator shall have power to sell or otherwise deal with the property so delivered, transferred or paid to him.

(4) A certificate by the Administrator that any property, rights or interests are Japanese property shall be prima facie evidence of the facts stated in the certificate, and where any requirement or demand for payment by the Administrator as aforesaid is accompanied by such a certificate, a Custodian, or any other person in possession of property transferable by delivery, or the person by whom a sum of money is due, shall comply with the requirement or demand and shall not be liable to any action or legal proceeding in respect of such compliance, but if it is subsequently proved that the property, rights or interests are not Japanese property, the owner thereof shall be entitled to recover the same from the Administrator, or if it has been sold the proceeds of sale, but not to any other remedy.