

**2013 No. 236**

**FOREIGN COMPENSATION**

**The Foreign Compensation Commission (Winding Up) Order  
2013**

*Made* - - - - - *12th February 2013*

*Laid before Parliament* *19th February 2013*

*Coming into force* - - - *29th March 2013*

At the Court at Buckingham Palace, the 12th day of February 2013

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by section 7(1)(f) of the Foreign Compensation Act 1950<sup>(a)</sup> is pleased, by and with the advice of Her Privy Council, to order, as follows:

**Citation and Commencement**

1. This Order may be cited as the Foreign Compensation Commission (Winding Up) Order 2013 and comes into force on 29th March 2013.

**Interpretation**

2. In this Order—

“Commission” means the Foreign Compensation Commission established under section 1(1) of the Foreign Compensation Act 1950;

“winding up date” means the beginning of the 29th March 2013.

**Winding up of the Commission**

3. The Commission is wound up on the winding up date.

**Transfer of property, rights and liabilities**

4. The property, rights and liabilities described in the Schedule are, on the winding up date, transferred to the Secretary of State.

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(a) 1950 c. 12; the application of section 7(1) was extended by section 3(2) of the Foreign Compensation Act 1962 (11 & 12 Eliz. 2 c. 4).

5. Where in relation to any property, rights or liabilities that are transferred under article 4, any legal proceedings have been commenced by or against the Commission, those proceedings may be continued by or against the Secretary of State.

*Richard Tilbrook*  
Clerk of the Privy Council

## SCHEDULE

Article 4

### Property, Rights and Liabilities Transferred to the Secretary of State

#### **Contracts and commitments**

1. Any property, rights or liabilities that the Commission has in connection with any contracts, agreements, arrangements, commitments, engagements, assignments and orders (in writing or otherwise).

#### **Non-contractual rights**

2. Any non-contractual rights or claims of the Commission that are exercisable against any third party, whether actual, contingent, accrued or accruing and whether arising in tort or under any trust or fiduciary relationship of any sort or under any enactment.

#### **Non-contractual liabilities**

3. Any non-contractual liabilities in respect of any claims by any third party against the Commission whether actual, contingent, accrued or accruing and whether arising in tort or under any trust or fiduciary relationship of any sort or under any enactment.

#### **Intellectual property**

4. Any property, rights or liabilities that the Commission has in connection with any intellectual property.

#### **Furniture and moveable equipment**

5. Any property, rights or liabilities that the Commission has in connection with any furniture, fittings, plant, equipment, stationery, computers or other machinery.

#### **Records**

6. Any property, rights or liabilities that the Commission has in connection with any records. For this purpose, “records” means document held by or on behalf of the Commission irrespective of the media or method of storage including in particular—

- (a) all books of account, ledgers, payroll records, income records, disbursement records, invoices, receipts, registers, reports and information relating to contracts or suppliers;
- (b) all records relating to the Commission’s employees or other staff, including all payroll schedules, pensions records, personnel files and disciplinary records;
- (c) all records of meetings, correspondence and submissions to the Secretary of State;
- (d) all results of research and documents relating to research; and
- (e) all library material, books, reference material and publications.

## **Stock**

7. Any property, rights or liabilities that the Commission has in connection with any finished or unfinished goods, stock, scrap, inventory, stores or raw materials.

## **Working capital**

8. Any property, rights or liabilities that the Commission has in—
- (a) any cash in hand or at a bank;
  - (b) any book or other debts arising out of or attributable to the activities of the Commission and owed to the Commission at the winding up date including the right to receive payment for goods despatched or delivered and services rendered before the winding up date but not invoiced before such time; or
  - (c) any creditors (whether invoiced or not), accrued charges and all other amounts whether due now or in the future.

## **Statutory licences and registrations**

9. Any property, rights or liabilities that the Commission has under any licences or registrations granted under any enactment.

### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order, which is made under section 7(1)(f) of the Foreign Compensation Act 1950, winds up the Foreign Compensation Commission established under section 1(1) of the Foreign Compensation Act 1950 and makes provision for the transfer of its property, rights and liabilities to the Secretary of State.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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STATUTORY INSTRUMENTS

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