

No. 357. THE TRADING WITH THE ENEMY LAW.

CAP. 174.

ORDER MADE BY THE ACTING GOVERNOR UNDER SECTION 9.

J. FLETCHER-COOKE,
Acting Governor.

In exercise of the powers vested in me by section 9 of the Trading with the Enemy Law and of every other power thereunto enabling, I, the Acting Governor, do hereby order as follows :—

1. This Order may be cited as the Trading with the Enemy (Custodian) (No. 2) Order, 1951.

2. There shall vest in the Custodian of Enemy Property all trade marks registered in pursuance of an application for registration made prior to the 3rd day of September, 1939, belonging to or held or managed on behalf of any enemy.

Cap. 197 3. No fee prescribed by the Trade Marks Rules, 1921, in accordance with the provisions of section 55 of the Trade Marks Law shall be payable by the said Custodian in respect of any application or registration or other matter under the said Law with reference to any of the trade marks vested in the said Custodian by this Order.

4. The said Custodian shall have power to apply under rule 66 of the Trade Marks Rules, 1921, for the registration of his title to any of the said trade marks in the Register of Trade Marks.

Cap. 197 5. The said Custodian shall be entitled in respect of the said trade marks to exercise all the powers conferred upon a registered proprietor by the Trade Marks Law and to sell the said trade marks and generally to deal with the said trade marks as, subject to any direction by the Governor, in his discretion shall seem advisable.

6. The said Custodian shall have power to employ such agents as he may consider necessary in the exercise of his powers and duties under this Order.

7. Out-of-pocket payments duly made by the said Custodian in relation to the receiving, collecting, vesting, management, holding or disposing of property which is the subject matter of this Order shall be reimbursed to the said Custodian out of such property and shall be chargeable accordingly.

8. The Custodian shall exercise all the powers conferred on him by this Order in such manner as he may from time to time be directed by the Governor and subject to any such direction as he may from time to time think fit.

9. For the purposes of this Order the following expressions shall have the following meanings :—

(a) "enemy" means—

- (i) the German State ;
- (ii) any individual resident in Germany ;
- (iii) any body of persons constituted or incorporated under the laws of Germany ;
- (iv) any body of persons (whether corporate or unincorporate), carrying on business in any place, controlled by any State, individual or body of persons as aforesaid.

(b) "Germany" means territory comprised in the German State on the 1st day of March, 1938.

10. This Order shall be deemed to have come into operation on the 9th July, 1951.

Made this 9th day of July, 1951.

(M.P. 532/46/2.)