CYPRUS

DISTRIBUTION OF GERMAN ENEMY PROPERTY

CHAPTER 51 OF THE LAWS

1959 EDITION

PRINTED BY

C. F. ROWORTH LIMITED, 54, GRAFTON WAY, LONDON, W.1.

[*Appointed by the Government of Cyprus the Government Printers of this Edition of Laws within the meaning of the Evidence (Colonial Statutes) Act, 1907.*]

1959

CHAPTER 51.

DISTRIBUTION OF GERMAN ENEMY PROPERTY.

ARRANGEMENT OF SECTIONS.

A LAW TO PROVIDE FOR THE COLLECTION AND REALIZATION OF GERMAN ENEMY PROPERTY AND FOR THE DISTRIBUTION OF THE PROCEEDS THEREOF AND FOR PURPOSES CONNECTED WITH THE MATTERS AFORESAID.

16 *of* 53. [14*th April*, 1953.]

Short title. **1.** This Law may be cited as the Distribution of German Enemy Property Law.

Interpretation. **2.** (1) In this Law unless the context otherwise requires—

"administrator" means the Administrator of German Enemy Property appointed pursuant to section 3;

"German enemy debt" means—

(*a*) any sum due at the commencement of this Law in respect of an obligation incurred before the third day of September, 1939, which on that day was an obligation of—

(i) the German State;

(ii) any individual who on that day was a German national resident in Germany;

(iii) any body of persons (whether corporate or unincorporate) which on that day was a body incorporated or constituted in or under the laws of Germany;

to—

(iv) the Government;

(v) any British subject or British protected person resident or carrying on business on that day in the Colony;

(vi) any body of persons (whether corporate or unincorporate) which on that day was a body incorporated or registered in or under the Laws of the Colony,

so however that where any person or body of persons specified in sub-paragraph (v) or (vi) of this paragraph carried on business on the said day outside the Colony any sum attributed to the business carried on outside the Colony shall be excluded;

(*b*) any sum not included in paragraph (*a*) of this subsection being—

(i) a sum due at the commencement of this Law in respect of any bond of the German External Loan, 1924, or the German Government International $5\frac{1}{2}$ per cent Loan, 1930, being a bond enfaced in accordance with the Supplementary Agreement for the execution of Article 2 of the Anglo-German Transfer Agreement of the first day of July, 1938;

(ii) a sum due on the seventh day of May, 1945, in respect of any bond of the Austrian Government International Loan, 1930, or the Austrian Government Credit Anstalt Bonds, 1936, being a bond enfaced as aforesaid;

(iii) a sum due on the seventh day of May, 1945, in respect of any bond of the Austrian Government International Guaranteed Loan, 1933–53, or the Austrian Government Guaranteed Conversion Loan, 1934–59, which was in the beneficial ownership of a British holder (within the meaning of Article 4 of the said Anglo-German Transfer Agreement) on the first day of July, 1938; or

(iv) a sum due at the commencement of this Law in respect of any bond of the Konversioskasse 4 per cent Sterling Bonds;

"German enemy property" means property which, on such day as may be appointed by any Order made under section 3, is, or at any time thereafter becomes, subject to control under section 10 of the Trading with the Enemy Law, being property, or the proceeds or Cap. 99.

income of property which on or at any time after the third day of September, 1939, belonged to or was held or managed on behalf of—

(*a*) the German State;

(*b*) any individual who, on the said third day of September, 1939, or at any time thereafter, was a German national resident in Germany or in any territory under the sovereignty of a State which on or at any time after the said day was at war with His Majesty;

(*c*) any individual who was a German national on or at any time after the said day and—

(i) was included among the persons specified in any Order under subsection (2) of section 4 of the Trading with the Enemy Law; or

Cap. 99.

(ii) was a person whose property became subject to control under section 10 of the said Law at a time when he was not an enemy within the meaning of the said Law;

(*d*) any body of persons (whether corporate or unincorporate) which on or at any time after the said day was a body incorporated or constituted in, or under the Laws of, Germany; and

(*e*) any body of persons (whether corporate or unincorporate) which on or at any time after the said day was controlled by any such individual or body as is mentioned in paragraph (*b*), paragraph (*c*) or paragraph (*d*) hereof;

"German national" does not include any person who acquired German nationality by reason of the inclusion in the German State after the first day of March, 1938, of any territory not comprised therein on that day;

"Germany" means territory comprised in the German State on the first day of March, 1938;

"property" means any immovable or movable property, and includes any right or interest in any immovable or movable property, any money, any negotiable instrument, debt or other chose in action, and any other right or interest whether in possession or not.

(2) For the purposes of this Law, a person who at any time was resident in Germany shall be deemed to have been a German national at that time unless it is proved to the satisfaction of the administrator, within such time and in