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 STATUTORY INSTRUMENTS
 

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1969 No. 842

## FOREIGN COMPENSATION

**The Foreign Compensation Commission (Union of Soviet  
Socialist Republics) Rules Approval Instrument 1969**

<i>Made</i> - - - -	23rd June 1969
<i>Laid before Parliament</i>	30th June 1969
<i>Coming into Operation</i>	1st July 1969

Whereas the Foreign Compensation Commission have, in the exercise of their powers under section 4 of the Foreign Compensation Act 1950(a), made rules of procedure and submitted them to the Lord Chancellor for his approval:

Now, therefore, the Lord Chancellor, in exercise of the powers conferred on him by sections 4 and 8 of the said Act hereby approves the said rules in the form set out in the Schedule hereto.

This instrument may be cited as the Foreign Compensation Commission (Union of Soviet Socialist Republics) Rules Approval Instrument 1969 and shall come into operation on 1st July 1969.

Dated 23rd June 1969.

*Gardiner, C.*

## SCHEDULE

The Foreign Compensation Commission in exercise of their powers under section 4 of the Foreign Compensation Act 1950, hereby make the following Rules:—

*Citation and extent*

1.—(1) These Rules may be cited as the Foreign Compensation Commission (Union of Soviet Socialist Republics) Rules 1969.

(2) The Interpretation Act 1889(b) shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

(3) These Rules shall apply to all applications under the Foreign Compensation (Union of Soviet Socialist Republics) Order 1969(c), and the Foreign Compensation Commission Rules 1956(d), shall not apply to such applications.

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(a) 1950 c. 12.

(c) S.I. 1969/735(1969 II, p. 1978).

(b) 1889 c. 63.

(d) S.I. 1956/962 (1956 I, p. 1021).

2.—(1) In these Rules, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say:—

“The Act of 1950” means the Foreign Compensation Act 1950;

“The Act of 1969” means the Foreign Compensation Act 1969(a);

“Chief Examiner” means the Chief Examiner appointed by the Commission and any person authorised by the Commission to act as such;

“The Commission” means the Foreign Compensation Commission;

“Commissioner” means the Chairman or a member of the Commission;

“Fund” means any fund into which any sums are paid pursuant to an Order in Council made under the Act of 1950 as amended by the Act of 1969;

“Legal Officer” means the Legal Officer appointed by the Commission to represent the interests of the Fund and any person authorised by the Commission to act on his behalf;

“Pleading” means the Application (or any document accepted by the Commission in lieu thereof), the Answer (if any), the Reply (if any), a Written Argument (if any); and any amendment of or particulars delivered in respect of the above documents;

“Registrar” means the Registrar appointed by the Commission and includes an Assistant Registrar so appointed;

“The Order in Council” means the Foreign Compensation (Union of Soviet Socialist Republics) Order 1969.

(2) Expressions defined in the Order in Council shall have the meanings therein assigned to them.

#### *Language of proceedings and translations*

3.—(1) All Applications to and the proceedings of the Commission shall be in the English language.

(2) The Commission may at any time order that an English translation shall be made of any measure or other document, and any copy of a translation so made or submitted by the Applicant may be certified by the Registrar to be a true translation and shall thereafter be accepted without challenge in any proceedings.

(3) The Commission may appoint interpreters to interpret oral evidence in any proceedings or translate documents for the use of the Commission and the Legal Officer.

(4) The Commission may appoint language arbiters to whom any disputed question of translation or interpretation shall be referred, and the decision of any language arbiter shall be accepted as final.

#### *Power to receive evidence*

4. The Commission shall not be bound by rules of evidence and may admit in evidence any document or any statement whether on oath or not which they deem to have probative value, but no such document or statement may without leave of the Commission be used unless it has been disclosed to the Applicant or the Legal Officer, as the case may be, not more than 21 days after the delivery

of a Reply in accordance with Rule 18, or, if none has been so delivered, after the expiry of the time limited therefor, and in the case of such a statement the Commission may direct that it shall not be used unless the maker thereof is produced for cross-examination.

*Public hearing*

5. Subject to any direction given by the Commission every oral hearing shall be in public.

*Claims for compensation*

6. Unless the Commission otherwise order, compensation shall be claimed by an application in the appropriate form issued or approved by the Commission and shall be signed by the Applicant or in the case of a corporation by its Secretary or a Director. Applications shall be addressed to the Commission and delivered by post or otherwise and their receipt shall be acknowledged.

*Time and form of applications*

7.—(1) No application shall be entertained unless it has reached the Commission on or before the 31st December 1969:

Provided that—

- (a) if the Applicant shall have delivered on or before the said date Part I of the application form issued by the Commission, or such other document as the Commission may accept as giving sufficient notice of the claim, he shall be deemed to have complied with this Rule;
- (b) if the application shall not have been made on the form issued by the Commission, the Commission may as a condition of entertaining the application require the Applicant to complete and deliver to the Commission an application in such form not later than one month after the said date;
- (c) Part II of the application form issued by the Commission and any relevant appendices thereto shall be completed and delivered to the Commission not later than one month after the said date.

(2) Save with the leave of not less than two Commissioners no claim shall be entertained which has been withdrawn by or on behalf of an Applicant either in writing or at an oral hearing.

*Claims on behalf of deceased persons*

8. Where no grant of representation has been made in the United Kingdom, an application may be made on behalf of an estate of a deceased person—

- (a) by any person claiming to be entitled to represent the estate of the deceased; or
- (b) by any person appearing to the Commission to be the widower, widow, child, parent, brother or sister of the deceased.

Provided that:

- (i) the Commission shall not entertain more than one application on behalf of the same estate;
- (ii) the Commission may at any time as regards any applicant set a time limit within which a grant of representation in the United Kingdom shall be obtained and produced to the Commission;

- (iii) upon the obtaining of such a grant the person to whom it is made, if not already the applicant, shall be substituted as applicant and shall sign or countersign all relevant appropriate forms;
- (iv) if no such grant of representation shall have been obtained within any time limit so set by the Commission or if the person to whom it has been made shall fail within any time limit set by the Commission to sign or countersign any appropriate form, any such application shall not be further entertained by the Commission;
- (v) no determination of a claim in any such case shall be made unless and until a grant of representation in the United Kingdom shall have been obtained and produced as aforesaid.

### *Infants*

9.—(1) Application may be made on behalf of an infant by his next friend.

(2) Any such application may be carried on—

- (a) by his father or guardian, or
- (b) by any person appointed for the purpose by his father or guardian, or
- (c) by a person appointed by the Commission.

(3) Upon any such infant attaining full age, the application shall be carried on in his name unless he shall repudiate it in writing upon or within three months after his attaining full age.

### *Unincorporated associations*

10.—(1) Where a claim under the Order in Council is made in respect of any property of an unincorporated association, charitable or otherwise, the Commission may appoint any two or more persons who appear to them to be suitable to represent the interests of the association to make or continue an Application on its behalf.

(2) The Commission may at any time discharge any appointment so made or appoint any other person in addition to, or in substitution for, any person previously so appointed.

(3) No person shall be appointed under the preceding paragraphs of this Rule without his consent in writing.

(4) The persons for the time being so appointed shall for all the purposes of these Rules be deemed to be the Applicant.

### *Joinder of claims*

11. Several distinct claims under the Order in Council may be made in one application, but if it appears that they cannot conveniently be disposed of together the Commission may give directions for their separate disposal.

### *Register of applicants*

12.—(1) The Chief Examiner shall enter in a Register short particulars of each application and of any amendment thereto.

(2) The Register shall be in such form as the Commission may direct and shall be available for inspection by all Applicants claiming under the Order in Council during usual office hours.

(3) Any Applicant may inform the Legal Officer of any objection he may have to the claim of any other Applicant and the grounds thereof, and in that event the Legal Officer shall report the objection and the grounds therefor to the Commission.

#### *Preliminary assessment of loss*

13.—(1) Where it appears to a Commissioner that the application form has been properly completed and that the only issue or issues to be determined under the Application relate to the amount of a loss sustained, then after any directions to the Applicant as to the production of evidence required have been complied with, two Commissioners of whom the first aforementioned Commissioner may be one shall, after such consultations, if any, with the Legal Officer, as they think fit, make a preliminary assessment of the amount to which the Applicant is entitled on his claim on the evidence submitted in the Application and on any other information made available to them; provided that one Commissioner shall have power to make a preliminary assessment under this paragraph where the aggregate of all amounts claimed by an Applicant under Parts IV and VI of the Order in Council does not exceed £10,000.

(2) The Applicant and the Legal Officer shall be sent a statement in writing of the preliminary assessment together with a notice informing them that if, within a period of 21 days from the date of the notice, the Applicant consents in writing to the amount assessed and the Legal Officer does not object, specifying the grounds of his objection, the Commission may make a determination in accordance with such preliminary assessment.

(3) If an Applicant does not accept the assessment, or the Legal Officer objects to it, or if the Commission decide for any other reason not to make a determination in accordance with it, they shall give directions as to all subsequent proceedings in accordance with the procedure in these Rules.

#### *Determination of issues*

14. Where it appears to a Commissioner that the application form has been properly completed and that there are issues to be determined under the Application which do not relate solely to the amount of the loss sustained, the Commissioner may give such directions as appear to him to be expedient for a speedy determination of the issues (including the amount of the loss) in accordance with the procedure in these Rules.

#### *Unopposed applications*

15.—(1) In any case where directions shall have been given under paragraph (3) of Rule 13 or under Rule 14, the Legal Officer may file with the Registrar a Statement recommending the Commission to admit a claim at the sum claimed or agreed in writing by the Applicant to be the amount of his loss, and the Commission may determine the matter accordingly by admitting the claim at a sum not less than the sum so recommended. A recommendation may be filed at any time before determination notwithstanding that an Answer has been filed under Rule 17.

(2) Before making a determination under this Rule the Commission may require the Applicant to make a statutory declaration of the statements by which he has supported his claim.

*Summary dismissal*

16.—(1) In any case where directions shall have been given under Rule 14, if it appears to the Legal Officer that as regards any claim or claims made by the Applicant the facts alleged by the Applicant are such that the Applicant cannot satisfy the Commission of the matters requisite for the establishment of such claim or claims under the Order, the Legal Officer may apply to the Commission for an order that any such claim or claims be summarily dismissed. Not less than 21 days' notice of his intention so to apply shall be served upon the Applicant. Any such notice shall state the grounds for the said application and shall be in Form E of the Appendix to these Rules.

(2) An application by the Legal Officer under this Rule shall be heard orally by the Commission who may after taking into consideration any oral or written submissions made by the Legal Officer and the Applicant make an order dismissing such claim or claims wholly or in part or give such directions in the matter as may be thought proper, provided that the Commission may at any time thereafter on reasonable cause shown by the Applicant revoke any such order or dismissal wholly or in part, and any such revocation shall not be deemed to be a review within the meaning of Rule 43.

(3) Any order made by the Commission under this Rule shall be made by not less than two Commissioners and shall not be subject to review.

*Answer*

17. If the Legal Officer does not make a recommendation under Rule 15, or the Commission do not accept it, if made, then, subject to any order of summary dismissal that may be made and to any further directions that may be given on the hearing of an application made under Rule 15, the Legal Officer shall file an Answer setting out any matters affecting the Application which in his view the Commission should consider. A copy of the Answer shall be served on the Applicant.

*Reply*

18. The Applicant shall have the right within 21 days after service of the Answer to deliver to the Registrar a Reply, together with any further particulars, and a copy thereof for service on the Legal Officer.

*Further and better particulars*

19. Where the Applicant or the Legal Officer refuses or fails to supply further and better particulars when requested to do so in writing, the Commission may, upon a request being made, give directions for the delivery of such particulars. If the Applicant refuse or fail to comply with any such directions within the time specified therein the Commission may treat his claim as withdrawn.

*Oral hearing*

20.—(1) The Applicant may, at any time within 21 days after service of the Answer or with his Reply, make a demand in writing to the Commission for a determination of his application by way of oral hearing.

(2) If the Applicant elects or the Commission decide that there shall be an oral hearing, the Applicant may apply at any time for a date and place to be fixed or the Commission may of their own motion fix the same. Notice shall be given to the Applicant by the Registrar of the date and place and of any adjournment of the hearing.

### *Preliminary determinations*

21. One Commissioner may at any time order a preliminary determination upon any question of fact or law.

### *Written arguments*

22. If the Applicant does not demand an oral hearing he may submit a written argument within 21 days of the service of the Answer or with his Reply, whichever is the later, not containing allegations of fact other than those which he has already pleaded, and thereupon the Commission may, without further reference to him, make a determination after considering any submissions which the Legal Officer may make.

### *Amendments*

23.—(1) Subject to the provisions of the next following Rule, a pleading may be amended only with the leave of the Commission which shall be granted only in special circumstances.

(2) A copy of the amendment shall be delivered to the Registrar with a copy for service on the Applicant or the Legal Officer, as the case may be.

### *Change of applicant*

24.—(1) Subject to the provisions of Rule 25 no Applicant shall be removed with or without the substitution of a new Applicant in his place, nor shall any new Applicant be added, without an application to, and an order of, the Commission. Any such application shall be accompanied by full reasons therefor and shall contain the full name, age, nationality and address of the proposed new Applicant. It shall be served on the Legal Officer and all existing Applicants.

(2) If the Legal Officer or any existing Applicant desires to oppose such application he must so inform the Commission and the proposed new Applicant within 21 days of the service on him of such application.

(3) Any order by the Commission granting such application shall contain any directions necessary to carry such order into effect.

### *Death of applicant*

25.—(1) On the death of an Applicant his application is abated as regards any claim not determined before his death unless the claim survives to a joint Applicant.

(2) Subject as hereinafter provided an abated application may be revived by the personal representative of the deceased Applicant (being the person to whom a grant of probate or confirmation or letters of administration shall have been made in any part of the United Kingdom) by producing such grant to the Commission and signing the application form filed by the deceased Applicant with the Commission:

Provided that after the expiration of 6 months from the date of the death of the deceased Applicant an application may be revived only with the leave of not less than two Commissioners, who may grant or refuse leave at their absolute discretion.

### *Associated applications*

26. Where there are pending at the same time two or more applications which could, in the opinion of the Commission, be conveniently taken together,

the Commission may, on the request of an Applicant or the Legal Officer or of their own motion, order that such several applications or parts thereof shall be adjudicated at the same time. Upon making such order the Commission shall give any consequential directions that may be required.

#### *Oaths*

27. Any member of the Commission shall have power to administer an oath to or take the affirmation of any Applicant or witness and to require any such person to take such oath or make such affirmation and to answer any question to which the Commission may legally require an answer.

#### *Expert witnesses and reports*

28.—(1) Unless the Commission otherwise direct, not more than one expert witness in respect of each technical aspect of the application shall be called by the Applicant or the Legal Officer.

(2) The Commission may at any time, on the request of the Applicant or the Legal Officer or of their own motion, order that a report be provided by any person nominated by the Commission on any matter which they are to consider, and a copy thereof shall be supplied to the Applicant and the Legal Officer to enable them to comment thereon or to apply to the Commission for leave to cross-examine the maker thereof.

#### *Summonses to witnesses and orders to forward documents*

29.—(1) A summons for any person to attend to give evidence and to produce documents shall be in Form A of the Appendix to these Rules and an order to forward documents shall be in Form B, with such variations as circumstances may require.

(2) Where any Applicant or the Legal Officer desires a summons or order to issue, the Registrar shall issue the same and shall, in the case of a summons in Form A, specify therein a sum to be tendered to the person to be summoned to attend which shall be reasonably sufficient to cover his expenses in travelling to and from the place of hearing.

(3) The Applicant or Legal Officer, as the case may be, shall serve with the summons an undertaking, in Form D of the Appendix, to pay to the person summoned to attend compensation for loss of time and any additional expenses which are certified by the Registrar to have been reasonably incurred.

(4) Each summons or order shall contain the name of one person only and shall be served personally a reasonable time before the date fixed for hearing.

(5) No summons or order issued pursuant to this Rule shall be valid, unless it is served upon the person named therein within 12 weeks from the date of signature by the Registrar and unless the conditions contained therein with regard to the payment of expenses and loss of time are complied with.

(6) A person served with a summons to attend to give evidence may apply to the Commission to set aside the same, whereupon notice shall be sent by the Registrar to the person at whose instance the summons was issued.

#### *Orders to furnish information*

30. The Applicant or the Legal Officer may at any time apply to the Commission for, or the Commission may of their own motion issue, an order in Form C of the Appendix to these Rules, with such variations as circumstances may require, addressed to any person to furnish such written information as may be specified in the order.



*Power to inspect*

31. Where in response to an order under Rule 29 or Rule 30 the person to whom it is addressed forwards to the Commission any document or a statement, the Registrar shall forthwith inform the Applicant and the Legal Officer, who shall be entitled to inspect and take copies thereof. If any such document or statement is used by the Applicant or the Legal Officer it shall be treated as though it has been disclosed in accordance with the provisions of Rule 4.

*Taking evidence abroad*

32. The Commission may give such directions for the taking of evidence abroad and of the manner thereof as may be deemed expedient.

*Time*

33. Subject to the provisions of Article 6(1) of the Order in Council, the time appointed by these Rules for doing any act or taking any step in proceedings:—

(a) shall, if the act is to be done or the step taken by a person normally resident outside the United Kingdom of Great Britain and Northern Ireland, be extended by 21 days; and

(b) may be extended, if the Commission so order, for any period in their discretion notwithstanding that the time appointed has already expired;

Provided that the time for completing and delivering to the Commission any relevant application form or appendix thereto referred to in either of the provisions (b) and (c) to paragraph (1) of Rule 7 shall in no circumstances be extended so as to expire more than two months after the 31st December 1969.

*Applications in the course of proceedings*

34.—(1) Save as otherwise provided in these Rules, any Commissioner may, if an Applicant or the Legal Officer requests it or the Commission so order, give directions of an interlocutory nature in connection with any proceedings.

(2) If notice of appeal is delivered to the Registrar within 7 days by an Applicant or the Legal Officer, and the Commissioner gives leave, an appeal shall lie from his decision to two other Commissioners.

*Service by post*

35. Save as otherwise provided in these Rules, any notice or other document required or authorised to be served on any person for the purpose of these Rules may be sent by pre-paid post to that person at his last ordinary or permanent address notified to the Commission or other address for service specified in any notice given under these Rules, and if so sent it shall be deemed to have been duly served on the date of such posting. The address of a solicitor instructed by the Applicant to act generally in relation to his claim shall be deemed to be an address for service specified as aforesaid.

*Copies of notices and requests*

36. All notices and requests to the Commission or to the Registrar shall be in writing and a copy thereof shall at the same time be served on the Applicant or the Legal Officer, as the case may be.

*Right of audience*

37.—(1) Save as provided in sub-paragraph (2) hereof the following persons only may address the Commission:—

- (a) an Applicant, other than a corporation. A corporation shall be represented by a barrister or solicitor retained on its behalf or with leave of the Commission in case of hardship by a member of the Board of Directors or by its Secretary;
- (b) the Legal Officer;
- (c) a barrister retained by or on behalf of an Applicant or the Legal Officer;
- (d) a solicitor acting generally in the proceedings for an Applicant or a solicitor acting as agent for that solicitor, but not a solicitor retained as an advocate by a solicitor so acting.

(2) At any hearing before one Commissioner and on the hearing of any appeal therefrom the right of audience shall extend to any person in the regular employment of a solicitor.

(3) A person having in Scotland, Northern Ireland or any part of the Commonwealth qualifications and rights of audience similar to those of a barrister or solicitor in England shall have the same right before the Commission.

*Non-compliance with rules*

38. Non-compliance with any of these Rules shall not render void any proceedings unless the Commission shall so direct.

*Determination and notice thereof*

39.—(1) The determination by the Commission of all matters save as otherwise provided by these Rules shall be made by not less than two Commissioners and a notice in writing thereof shall be given to the Applicant and the Legal Officer, and it shall not be necessary for the Commission to meet for the purpose of announcing their determination:

Provided that a provisional determination, not by way of an oral hearing, of an application in respect of any claim may be made by one Commissioner if the aggregate of all amounts claimed by an Applicant under Parts IV and VI of the Order in Council does not exceed £10,000.

(2) Every determination under Part VI of the Order in Council that any claim is established shall state the serial number or numbers of every Bond or State Note in respect of which a claim is established.

(3) Every such determination in regard to a claim in respect of a State Note shall be conditional upon the production to the Commission, within such time as the Commission shall direct, of each State Note in respect of which a claim is established, and the Chief Examiner shall stamp every State Note so produced with the appropriate stamp approved by the Commission and attach to or endorse upon such determination a certificate signed by the Chief Examiner that the State Note has been so produced and stamped.

(4) A determination to or upon which any such certificate shall have been attached or endorsed shall, subject to Rule 43, thereupon become unconditional, and a notice in writing to that effect shall be given to the Applicant, to whom the State Note so stamped shall if he so requests in writing and at his risk and expense be returned.

*Selection of commissioners*

40.—(1) The Chairman, or in his absence the Vice-Chairman, may select the Commissioners required to hear and determine any particular application or group of applications or any matter arising therein, and may from time to time vary the Commissioners selected, and where more than one Commissioner is required shall appoint the Commissioner who is to preside.

(2) If in the course of any hearing one or more of the Commissioners so appointed becomes unable to attend, another Commissioner may, with the consent of the Applicant, in like manner be appointed.

*Majority decision*

41. In case of disagreement the majority decision of the Commissioners sitting shall prevail. If equally divided the determination of the presiding Commissioner shall be decisive.

*Admissions by Legal Officer*

42. In determining any application the Commission shall not be bound by any admission or concession by the Legal Officer on any question of fact or of law.

*Provisional determinations and reviews*

43.—(1) Save as provided in Rule 16, all determinations of the Commission shall be provisional and subject to review. Subject as hereinafter provided, the time for and procedure upon review shall be at the discretion of the Commission.

(2) Before reviewing any provisional determination the Commission shall serve upon the Applicant notice of intention to review.

(3) The Commission may invite the Applicant and the Legal Officer to submit additional evidence or written arguments or to attend an oral hearing on review, or may give leave to them respectively so to do if application for such leave is made before the expiration of 21 days after service of notice of intention to review, but, unless so invited or given leave and subject as hereinafter provided, neither the Applicant nor the Legal Officer shall be entitled to have an oral hearing on review or to submit any additional evidence or arguments.

(4) The Applicant shall be entitled to submit additional written evidence and arguments or to have an oral hearing if the Commission propose on review to disallow or reduce the amount of any claim provisionally allowed, and the Legal Officer shall be so entitled if the Commission propose on review to increase the amount of a claim provisionally allowed or to allow a claim provisionally disallowed.

(5) The Commission shall serve upon the Applicant and the Legal Officer respectively (as the case may require) notice in writing of any such proposal as is referred to in paragraph (4) of this Rule, and any written evidence and arguments and demand for an oral hearing on review shall be served upon the Commission before the expiration of 21 days from the service of the notice of such proposal.

(6) There shall not be more than one review of any determination.

(7) If it appears to the Commission that an Applicant has died and no grant of representation to his estate has been produced to them, the Commission may review the provisional determination of a claim made by the deceased Applicant

without serving any notice of intention to review, or may, if they think fit, by order appoint such person as they think proper to represent the estate of the deceased Applicant for the purpose of such review, and in that case the foregoing provisions of this Rule shall apply to the person so appointed as they apply to an Applicant and notice of intention to review shall be served upon that person.

(8) Where the Commission receive no acknowledgement within 21 days from the date of posting of the notice of intention to review, or such further period as may be specified therein for replying thereto, the provisions of paragraph (7) of this Rule shall apply as if the Applicant had died.

*Amendment of determinations and orders*

**44.** Clerical mistakes in determinations or orders or errors arising from any accidental slip or omission may at any time be corrected by the Commission of its own motion after giving notice to the Applicant and the Legal Officer or on the application of the Applicant or the Legal Officer after giving notice to the other of them, without review.

APPENDIX

FORM A

FOREIGN COMPENSATION ACT 1950

SUMMONS TO ATTEND TO GIVE EVIDENCE

FOREIGN COMPENSATION COMMISSION

IN THE MATTER OF AN APPLICATION pending before the Foreign Compensation Commission  
by

Applicant

To

of

You are hereby summoned to attend at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_ at \_\_\_\_\_ in the \_\_\_\_\_ noon and so from day to day until the above Matter has been heard to give evidence in the above application.

And also to bring with you and produce at the time and place aforesaid (specify documents to be produced)

Dated \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_ .

Registrar.

This summons is issued at the request of\*

You are not obliged to attend unless on the service of this summons the said\* tenders to you the sum of £ \_\_\_\_\_ on account of your expenses, and gives you a written undertaking to pay to you such further sum in respect of expenses and loss of time as the Registrar to the Commission may certify to be reasonable.

If you fail to attend as aforesaid the Chairman of the Commission may certify your offence to the High Court which may if it thinks fit punish you as for a contempt of Court.

You may if you think fit apply in writing to the Commission, for just cause, particulars whereof must be stated, to set aside this summons. Any such request must be sent by registered post addressed to the Registrar of the Commission at Alexandra House, Kingsway, London, W.C.2, within three days after service of this summons. If the cause alleged is ill-health a medical certificate must be enclosed with the request.

This summons is of no validity unless served upon you within twelve weeks from the date of its signature as above.

Receipt of Expenses

I hereby acknowledge the receipt of the sum of £ \_\_\_\_\_ on account of my expenses and of the required written undertaking.

Signed†.....

\*Fill in name of person making request for Summons.  
†To be signed by person to whom summons is directed.

## FORM B

## FOREIGN COMPENSATION ACT 1950

## ORDER TO FORWARD DOCUMENTS

## FOREIGN COMPENSATION COMMISSION

IN THE MATTER OF AN APPLICATION pending before the Foreign  
Compensation Commission

by

Applicant

To

of

You are hereby required to forward by registered post to the Commission at  
Alexandra House, Kingsway, London, W.C.2, on or before the            day  
of            19    , the following documents:—

If the said documents or any of them are not in your possession, custody or  
power or if you claim to have legal objection to the production of the documents  
or any of them you must on or before the last-mentioned date forward as above  
directed a declaration signed by yourself giving the reasons for your inability  
or objection to forward each of the documents to which such reasons apply.

If you know the name and/or address of the person in whose possession,  
custody or power the said documents or any of them now are or have been you  
must give it.

Dated            day of            19    .

Registrar.

This Order is issued at the request of\*

If you fail to comply with this Order the Chairman of the Commission may  
certify your offence to the High Court which may if it thinks fit punish you as  
for a contempt of Court.

This Order is of no validity unless served upon you within twelve weeks from  
the date of its signature as above.

The Commission will refund to you the cost of forwarding the said documents.

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\*Fill in name of person making request for summons.

## FORM C

## FOREIGN COMPENSATION ACT 1950

## ORDER TO FURNISH INFORMATION

## FOREIGN COMPENSATION COMMISSION

IN THE MATTER OF AN APPLICATION pending before the Foreign  
Compensation Commission

by

Applicant

To

of

You are hereby required to furnish the information specified in the Schedule hereto which must be forwarded by registered post addressed to the Registrar, Foreign Compensation Commission, Alexandra House, Kingsway, London, W.C.2, before the                      day of                      19                      .

Dated                      day of                      19                      .

Registrar,

By order of the Commission.

If you fail to comply with this Order the Chairman of the Commission may certify your offence to the High Court which may if it thinks fit punish you as for a contempt of Court.

If in addition to furnishing the information as above directed you wish to give oral evidence at your own expense please so indicate in order that you may be notified of the date of hearing.

The Commission will refund to you the postage incurred in complying with this Order.

## Schedule

## FORM D

## FOREIGN COMPENSATION ACT 1950

FORM OF UNDERTAKING TO PAY EXPENSES AND COMPENSATION FOR LOSS OF TIME  
FOREIGN COMPENSATION COMMISSION

In addition to the sum of £                      paid to the said\*  
in respect of expenses I hereby undertake to pay to the said\*  
such further sum in respect of expenses and/or loss of time as the Registrar of  
the Commission may certify to be reasonable.

.....  
Signature of the person applying  
for summons in Form A

\*Insert name of witness

## FORM E

FOREIGN COMPENSATION ACT 1950  
 APPLICATION FOR SUMMARY DISMISSAL  
 FOREIGN COMPENSATION COMMISSION

IN THE MATTER OF THE FOREIGN COMPENSATION (UNION OF SOVIET SOCIALIST  
 REPUBLICS) ORDER 1969

AND

IN THE MATTER OF THE APPLICATION OF

TAKE NOTICE that the Legal Officer intends to apply to the Commission under Rule 16 of the Foreign Compensation Commission (Union of Soviet Socialist Republics) Rules 1969 at on \_\_\_\_\_ day the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ at 10.15 a.m. for an order that the application of the above-named Applicant so far as regards the under-mentioned claims be dismissed on the grounds hereinafter stated that is to say

The claims in respect of

The grounds for this application are that the requirements of the above Order cannot be satisfied, in that

And further take notice that the said application will be heard orally by the Commission and that you may attend such hearing and that the Commission will take into consideration submissions (if any) made by you or on your behalf orally at the hearing or in writing.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ .

Registrar.

The Seal of the Foreign Compensation Commission was hereunto affixed this 23rd day of June 1969.

(L.S.)

*C. Montgomery White,*  
 Chairman of the Commission.

*H. Walsh,*  
 Secretary.

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EXPLANATORY NOTE

*(This Note is not part of the Order.)*

These Rules prescribe the procedure to be followed in proceedings before the Foreign Compensation Commission relating to applications made under the Foreign Compensation (Union of Soviet Socialist Republics) Order 1969.

The Rules are intended to enable claims to be disposed of more speedily than they could under the Commission's usual rules of procedure and are similar to the Foreign Compensation Commission (Egyptian Claims) Rules 1959 (S.I. 1959/640).