
STATUTORY INSTRUMENTS

1982 No. 1073

The Foreign Compensation (Czechoslovakia) Order 1982

PART IV

**CLAIMS IN RESPECT OF DEBTS, BANK BALANCES,
SHARES, BONDS AND OTHER PROPERTY**

Debts and Bank Balances

16.—(1) To establish a claim under this Part of the Order in respect of a debt or a balance in a bank, any person making application to the Commission shall be required to establish to the satisfaction of the Commission:—

- (a) that he is a person qualified under Article 14 of this Order to make such application;
- (b) that his application relates, either
 - (i) to a debt which is unpaid and which on 1st November 1945 was outstanding from the Czechoslovak Government, a public authority in Czechoslovakia or a person, corporation, firm or association (other than a United Kingdom national) resident in Czechoslovakia to:—
 - (A) a United Kingdom national, or
 - (B) a person, corporation, firm or association (other than a United Kingdom national) who or which at any time between 3rd September 1939 and 1st November 1945 was resident or carrying on business in the United Kingdom; or
 - (ii) to a debt which is unpaid, where he or his predecessor in title (or, if he is a trustee, the person for whom he is a trustee or the predecessor in title of such person) has been deprived of the legal right to recover the debt by or under a Czechoslovak measure and was a United Kingdom national at the relevant date; or
 - (iii) to a balance in a bank in Czechoslovakia which is still outstanding and which was held on 1st November 1945 by:—
 - (A) a United Kingdom national, or
 - (B) a person, corporation, firm or association (other than a United Kingdom national) who or which at any time between 3rd September 1939 and 1st November 1945 was resident or carrying on business in the United Kingdom; or
 - (iv) to a balance at a bank in Czechoslovakia which is still outstanding and which was held on 1st June 1953 by a United Kingdom national and was affected by the Czechoslovak Monetary Reform Law, No. 41, of that date; and
- (c) that he or his trustee is the person to whom the debt or the outstanding balance is owing.

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(2) For the purposes of Article 10 of this Order, the Commission shall assume that debts falling within paragraph (1)(b)(i) above and balances falling within paragraph (1)(b)(iii) above were irrecoverable on and after 1st November 1945.

(3) Where an application could fall within more than one of the sub-paragraphs of paragraph (1) (b) above, the person making application to the Commission shall be required to choose under which sub-paragraph his application shall be treated as falling.