
STATUTORY INSTRUMENTS

1988 No. 153

FOREIGN COMPENSATION

The Foreign Compensation Commission (People's Republic of China) Rules Approval Instrument 1988

<i>Made</i>	- - - -	<i>2nd February 1988</i>
<i>Laid before Parliament</i>		<i>8th February 1988</i>
<i>Coming into force</i>	- -	<i>1st March 1988</i>

Whereas the Foreign Compensation Commission have, in exercise of their powers under section 4(2) and (3) of the Foreign Compensation Act 1950(1), after consultation with the Council on Tribunals in accordance with the Tribunals and Inquiries Act 1971(2), 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 section 4(2) of the said Act of 1950, after consultation with the Council on Tribunals, in accordance with section 10 of the said Act of 1971, hereby approves the said rules in the Schedule hereto.

This Instrument may be cited as the Foreign Compensation Commission (People's Republic of China) Rules Approval Instrument 1988 and shall come into force on 1st March 1988.

Dated 2nd February 1988

Mackay of Clashfern C.

(1) 1950 c. 12.
(2) 1971 c. 62.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

APPENDIX

FORM A FOREIGN COMPENSATION ACT 1950

I
of
*as Trustee forwho died
on.....do solemnly and
sincerely declare as follows:-

I am and was/the said deceased was* on 4th June 1987 the beneficial owner of the bond(s) to which this application under the Foreign Compensation (People's Republic of China) Order 1987, relates, AND I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1835.

DECLARED at
.....
.....
.....
.....

Signature

this.....day of.....

Before me,.....

a Solicitor/Commissioner for Oaths.

*delete as required

FORM B FOREIGN COMPENSATION ACT 1950 SUMMONS TO ATTEND TO GIVE EVIDENCE FOREIGN COMPENSATION COMMISSION

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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 this 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 Commission may certify to be reasonable.

If you fail to attend as aforesaid the Chairman of the Commission may certify your absence 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, for an order to set aside this summons. Any such request must be delivered by hand or sent by post addressed to the Registrar of the Commission at within seven days after service of this summons. If the cause 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 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 the name of the person requesting the summons.
** To be signed by the person to whom the summons is directed.

FORM FOREIGN COMPENSATION ACT 1950 ORDER TO FORWARD DOCUMENTS FOR FOREIGN COMPENSATION COMMISSION

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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

by

Applicant

To

of

You are hereby required to deliver by hand or forward by post to the Registrar of the Commission at 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 this day of 19.....

Registrar

This order is issued at the request of *.....

If you fail without reasonable excuse to comply with this Order the Chairman of the Commission may certify your failure 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.

* Fill in the name of the person requesting the summons.

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 Commission may certify to be reasonable.

Signature of the person
applying for the summons in
Form B

* Insert name of witness

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EXPLANATORY NOTE

(This note is not part of the Instrument)

By this Instrument the Lord Chancellor approves rules made by the Foreign Compensation Commission to govern the procedure to be followed by the Commission in the disposal of applications under the Foreign Compensation (People's Republic of China) Order 1987. They are substantially based on those made for the purposes of previous Orders providing for the determination of claims and the distribution of compensation by the Commission.