

Austrian Empire within the territory or under the control of an Allied or Associated State might be constituted a pledge for enemy liabilities upon the conditions laid down in the Treaty :

And whereas by the Treaty of Peace Act, 1919, it was provided that His Majesty might make such appointments, establish such offices, make such Orders in Council, and do such things as appeared to Him to be necessary for carrying out the Treaty, and for giving effect to any of the provisions thereof :

And whereas by Treaty, grant, usage, sufferance, or other lawful means, and by Decree of His Highness the Sultan of Egypt, His Majesty has power and jurisdiction in Egypt :

And whereas there is now in Egypt certain property of nationals of the former Austrian Empire under the control of His Majesty, and it is expedient to make provision for charging such property with the payment of the liabilities for which it may be constituted a pledge by the Treaty in the manner hereinafter provided :

Now, therefore, His Majesty, by virtue and in exercise of the powers in this behalf by the Foreign Jurisdiction Act, 1890, or otherwise in Him vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows :—

1. All property, rights and interests in Egypt belonging to nationals of the former Austrian Empire at the date when the Treaty comes into force (not being property, rights or interests acquired under any general licence issued by or on behalf of His Majesty) and the net proceeds of their sale, liquidation, or other dealings therewith, so far as such property, rights and interests or such net proceeds are vested in or otherwise under the control of the custodian of enemy property or other British authority under the Trading with the Enemy Acts or the Trading with the Enemy Proclamations issued from time to time by the General Officer Commanding-in-Chief the British Forces in Egypt, are hereby charged :—

(a) First, with payment of the amounts due in respect of claims by British nationals with regard to their property, rights and interests, including companies and associations in which they are interested in territory of the former Austrian Empire, or debts owing to them by Austrian nationals, and with payment of any compensation awarded by the Mixed Arbitral Tribunal or by an arbitrator appointed by that Tribunal in pursuance of paragraph (e) of Article 249 of the Treaty, and with payment of claims growing out of acts committed by the former Austro-Hungarian Government or by any Austrian authorities since the 28th July 1914, and before the 12th August 1914.

(b) Secondly, with payment of the amounts due in respect of claims by British nationals with regard to their property, rights and interests in the territories of Germany, Hungary, Bulgaria and Turkey in so far as those claims are not otherwise satisfied. Provided that any particular property, rights or interests so charged may at any time, if the High Commissioner thinks fit, be released from the charge so created.

2. In the application and enforcement of the charge created by this Order the claims of or debts owing to British nationals resident or

carrying on business in Egypt shall enjoy priority over the claims of or debts owing to other British nationals.

3. All decisions of the Mixed Arbitral Tribunal constituted under Section VI. of Part X. of the Treaty, if within the jurisdiction of that Tribunal, shall be final and conclusive, and binding on all courts.

4. For the purpose of enforcing the attendance of witnesses before the Mixed Arbitral Tribunal, whether sitting in Egypt or not, and compelling the production before the Tribunal of documents, the High Commissioner shall have power to issue orders which shall have the like effect as if the proceedings before the Tribunal were an action in the Supreme Court, and the order were a formal process issued by that Court in the due exercise of its jurisdiction, and shall be enforceable by that Court accordingly, and disobedience to any such order shall be punishable as contempt of court.

5. Sections IV., V. and VI. of Part X. of the Treaty relating to property, rights and interests, to contracts, prescriptions and judgments, and to the Mixed Arbitral Tribunal, and all provisions of the said Treaty affecting or relating to the charge created by this Order shall have full force and effect as law.

6. The time at which the periods of prescription or limitation of right of action referred to in Article 252 of the Treaty shall begin again to run shall be at the expiration of ten months after the coming into force of the Treaty, and the period to be allowed within which presentation of negotiable instruments for acceptance or payment, and notice of non-acceptance or non-payment or protest may be made under Article 253, shall be ten months from the coming into force of the Treaty.

7. Rules made during the war by any recognised exchange or commercial association providing for the closure of contracts entered into before the war by an enemy, and any action taken thereunder are hereby confirmed, subject to the provisos contained in paragraph 4 (a) of the Annex to Section V. of Part X. of the Treaty.

8. The power under the Egypt Order in Council, 1915, to make King's Regulations shall extend to the issue of regulations for the purpose of enforcing the charge created by this Order, and for making such arrangements as may be required for establishing and assessing the claims and debts for the payment of which the property charged is rendered liable, and for the payment, in whole or in part, of the sums due.

9. In this Order the term "British nationals resident or carrying on business in Egypt" means persons who are subject to the Egypt Order in Council, 1915, and who are so resident or carrying on business.

10. Egyptian nationals resident or carrying on business in Egypt shall share in the benefit of the charge created by this Order on the same terms as British nationals resident or carrying on business in Egypt, provided that during the war such Egyptian nationals were treated by the former Austro-Hungarian Government as enemies and that their property was subjected by the former Austro-Hungarian Government to exceptional war measures.

11. The expression "nationals of the former Austrian Empire" does not include persons who, within six months of the coming into force of the Treaty, show that they have acquired,