

Exchange Control

1958-16

EXCHANGE CONTROL (MISCELLANEOUS PROVISIONS) ORDER

Subsidiary
1959.05.01

Order made under paras. 3 and 4 of Sch. 4 and para. 2 of Part I of Sch. 5.

EXCHANGE CONTROL (MISCELLANEOUS PROVISIONS) ORDER

(1959.05.01)

1.5.1959

Amending enactments	Relevant current provisions	Commencement date
None		

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Title.
2. Bankruptcy notice.
3. Prescribed court.
4. Police officers.

SCHEDULE

Bankruptcy Notice for use Where Permission of Financial and
Development Secretary has not been Obtained.

1958-16

Exchange Control

**Subsidiary
1959.05.01**

**EXCHANGE CONTROL (MISCELLANEOUS PROVISIONS)
ORDER**

EXCHANGE CONTROL (MISCELLANEOUS PROVISIONS)
ORDER

Subsidiary
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Title.

1. This Order may be cited as the Exchange Control (Miscellaneous Provisions) Order.

Bankruptcy notice.

2. Any bankruptcy notice issued in accordance with any rules relating to bankruptcy from time to time in force at the request of a person residing outside the scheduled territories as defined in Schedule 1 to the Act being a creditor for an amount due under a judgment, order or award shall, with such variations as circumstances may require –

- (a) in a case in which permission of the Financial and Development Secretary has not been obtained for payment of the amount due, be in the form set out in Part I of the Schedule to this Order;
- (b) in a case in which permission of the Financial and Development Secretary for payment into a blocked account has been obtained, be in the form set out in Part II of the Schedule to this Order.

Prescribed court.

3. The court prescribed for the purposes of paragraph 4 of Schedule 4 to the Act, is the Supreme Court.

Police officers.

4. Every police officer not below the rank of inspector is authorized to act for the purposes of paragraph 2 of Part I of Schedule 5 to the Act.

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SCHEDULE

PART I.

Paragraph 2

BANKRUPTCY NOTICE FOR USE WHERE PERMISSION OF
FINANCIAL AND DEVELOPMENT SECRETARY HAS NOT BEEN
OBTAINED.

(Title)

To A. B. (or A. B and Co.) of

Take notice that whereas C.D. (or C. D. and Co.) of a person (or persons) residing outside the scheduled territories as defined in Schedule 1 to the Exchange Control Act, has (or have) obtained judgment against you for the sum of £ and whereas permission of the Financial and Development Secretary for payment of the said sum by you to him (or them) has not been obtained you must within seven days after service of this notice on you excluding the day of such service pay into court in accordance with rules of court made pursuant to Schedule 4 to the Act the sum of £

the amount of the judgment whereon execution has not been stayed or you must secure or compound for the said sum to his (or their) satisfaction or to the satisfaction of of his (or their) duly authorized agent or to the satisfaction of the court in some manner not prohibited in the circumstances set out above by the Act or you must satisfy this court that you have a counterclaim, set off or cross demand against him (or them) which equals or exceeds the amount claimed by him (or them) which you could not set up in the action or other proceedings in which the judgment (or order) was obtained.

Dated the day of

By the Court
Registrar.

PART II.

BANKRUPTCY NOTICE FOR USE WHEN THE FINANCIAL AND
DEVELOPMENT' SECRETARY HAS GRANTED PERMISSION FOR
PAYMENT INTO A BLOCKED ACCOUNT.

(Title)

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Subsidiary
1959.05.01

To A.B. (or A.B and Co.) of

Take notice that whereas C. D. (or C. D. and Co.) a person (or persons) residing outside the scheduled territories as defined in Schedule 1 to the Exchange Control Act, has (or have) obtained a final judgment (or order) against you for the sum of £ and whereas permission of the Financial and Development Secretary for payment of the said sum by you to him (or them) has not been obtained but the Financial and Development Secretary has directed that the said sum shall be paid to a blocked account and the said C. D. (or C. D.; and Co.) has (or have) nominated an account in his (or their) name at the Bank of pursuant to paragraph 6 of Schedule 3 to the Act you must within seven days after service of this notice on you excluding the day of such service pay the sum of £ being the amount of the judgment (or order) on which execution has not been stayed either into the said blocked account or into court or you must secure or compound for the said sum to the satisfaction of the said C. D. (or C. D, and Co.) or to the satisfaction of of his (or their) duly authorized agent or to the satisfaction of the court in manner not prohibited by the Act or you must satisfy this court that you have a counterclaim, set off or cross demand against him (or them) which equals or exceeds the amount claimed by him (or them) and which you could not set up in the action or other proceedings in which the judgment (or order) was obtained.

Dated the day of

By the Court
Registrar.