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STATUTORY INSTRUMENTS

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**1987 No. 2201**

**The Foreign Compensation (People's  
Republic of China) Order 1987**

**PART I**

**COMMENCEMENT, CITATION AND INTERPRETATION**

1. This Order shall come into operation on 1st March 1988, and may be cited as the Foreign Compensation (People's Republic of China) Order 1987.

2. In this Order:—

“Bond” means a bond or other document of title in respect of a loan or obligation issued or guaranteed before 1st October 1949 by a former government of the territory or any part thereof or by any other public authority in the territory.

“British national” means:—

- (a) any individual who was at the material time a citizen of the United Kingdom and Colonies, a British subject by virtue of sections 2, 13 or 16 of the British Nationality Act 1948<sup>(1)</sup> or the British Nationality Act 1965<sup>(2)</sup>, or a British protected person within the meaning of the said Act of 1948; except that any individual who was a British subject at any time before the date of the commencement of the said Act of 1948 only by virtue of the provisions of the Act of 1705<sup>(3)</sup>, intituled “An Act for the Naturalization of the Most Excellent Princess Sophia Electress and Duchess Dowager of Hanover and the Issue of Her Body”, shall be deemed not to be a British national;
- (b) any corporation, firm or association incorporated or constituted under the laws in force in the United Kingdom or in any territory for whose international relations Her Majesty's Government in the United Kingdom were, at the material time, responsible;
- (c) any individual who as regards any material time after 31st December 1949 was a citizen of Southern Rhodesia or a citizen of Rhodesia and Nyasaland, and any individual who as regards any material time after 31st October 1957 and prior to 17th September 1963 was a citizen of Singapore.

“Debt” means a sum due or owing, or a claim for unliquidated damages, but shall not include a balance in a bank, or any such sum or claim in respect of which a bond or share has been issued, or a pension or contributions towards a pension.

“Material time” means any time before 1st January 1980 at which it is material for the purposes of this Order whether or not a person is a British national.

“Person” includes, except where the context otherwise requires, an individual, corporation, firm, or association.

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(1) 1948 c. 56.  
(2) 1965 c. 34.  
(3) 1705 c. 14.

“Predecessor in title” means any person through whom, whether directly or indirectly, a person making application under this Order (including a trustee) has succeeded, whether by assignment or otherwise, to the property or claim to which the application relates.

“Property” includes all rights or interests of any kind in property.

“Relevant date” means 1st October 1949 or such later date before 1st January 1980 on which the applicant, or his predecessor in title, was deprived of title to or enjoyment of property, or of the right to recover a debt, or suffered loss in respect of a share, or became unable to recover a bank balance, or upon which a debt first became due for repayment.

“Rules of the Commission” means rules made by the Commission with the approval of the Lord Chancellor under section 4(2) of the Foreign Compensation Act 1950 regulating the procedure of the Commission in determining applications made under this Order.

“Share” includes stock, a debenture, debenture stock and any funded obligation of a corporation.

“Secretary of State” means Her Majesty’s Principal Secretary of State for Foreign and Commonwealth Affairs.

“The territory” means the territory which is on the date on which this Order comes into operation controlled by the authorities of the People’s Republic of China.

“Trustee” includes a personal representative of a deceased person or a nominee; and “beneficiary” shall have a corresponding meaning.