

1967 No. 813

FOREIGN COMPENSATION

The Foreign Compensation (Hungary) (Amendment)
Order 1967

<i>Made - - - -</i>	<i>24th May 1967</i>
<i>Laid before Parliament</i>	<i>1st June 1967</i>
<i>Coming into Operation</i>	<i>5th June 1967</i>

At the Court at Buckingham Palace, the 24th day of May 1967

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers in that behalf by sections 3 and 8(1) of the Foreign Compensation Act 1950(a) or otherwise in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1. The Schedule to the present Order shall be substituted for the First Schedule to the Foreign Compensation (Hungary) Order 1963(b) as amended (c) (hereinafter referred to as "the principal Order").

2. In Article 3(3) of the principal Order for the figures "£100" there shall be substituted the figures "£500".

3. This Order shall come into operation on 5th June 1967 and may be cited as the Foreign Compensation (Hungary) (Amendment) Order 1967.

W. G. Agnew.

SCHEDULE

1.—(1) A payment of an amount calculated in accordance with sub-paragraph (2) of this paragraph shall be made by the Commission in respect of—

(a) the assessed amount of the claim, if that amount does not exceed £40,000, or the first £40,000 of the assessed amount of the claim, if that amount exceeds £40,000; and

(b) the sum (if any) by which the assessed amount of the claim exceeds £40,000 but does not exceed £160,000, if the Commission is satisfied that the beneficial interest in the claim is such that an individual over 65 years of age has, or two or more such individuals together have, a vested interest in possession (whether as to income or capital) in not less than half thereof.

(2) Payments under the provisions of sub-paragraph (1) of this paragraph shall be made at a uniform rate. The uniform rate of payment shall be the highest rate which the Commission deems appropriate without exceeding in respect of any claim the amount which, in the estimation of the Commission, will be payable under Article 4 of the Order.

(a) 1950 c. 12.

(b) S.I. 1963/1148 (1963 II, p. 1949).

(c) S.I. 1964/506, 1965/982, 1966/397 (1964 I, p. 867; 1965 I, p. 2424; 1966 I, p. 888).

2. In respect of any parts of the assessed amounts of claims for which no payments have been made in accordance with paragraph 1 of this Schedule, the Commission shall make payments at such uniform rate, not exceeding that fixed by the Commission under sub-paragraph (2) of paragraph 1, as in the opinion of the Commission the amount remaining in the Fund after making payments under paragraph 1 permits.

3. The uniform rate fixed for the purposes of paragraph 1 or paragraph 2 of this Schedule may be increased by the Commission in accordance with the provisions of the said paragraph 1 or paragraph 2, as the case may be.

4. In every case in which the amount of the payment in respect of any claim or part of a claim is increased under the provisions of this Schedule, the Commission shall give effect to the increase by making a payment equivalent to the difference between the amount already paid and the amount calculated at the increased rate.

5. For the purposes of this Schedule the Commission shall assume that the total of the sums paid and to be paid to the Commission under Article 1 of the Order will be £4,050,000.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the Foreign Compensation (Hungary) Order 1963, as previously amended. Its purposes are:—

- (i) to enable the Foreign Compensation Commission to make increased payments of compensation to claimants from the Hungarian Compensation Fund when moneys are available in the Fund for this purpose; and
- (ii) to increase the limit of the amount which, in cases where the claimant has died, may be paid to beneficiaries without requiring a grant of administration of the deceased's estate to be obtained in the United Kingdom.