

*The New Zealand Clearing Office.*

8. In accordance with the provisions of paragraph 1 of the Annex to Section III of Part X of the Treaty there is hereby established in New Zealand a Local Clearing Office (to be known as the New Zealand Clearing Office) for the collection and payment of enemy debts, and such office shall act in conjunction with the Central Clearing Office established in the United Kingdom under the Treaty of Peace Order, 1919.

9. The New Zealand Clearing Office shall be under the control and management of the Public Trustee of New Zealand, who shall be the Controller of that office, and there shall be attached thereto such officers and servants as the Minister in charge of the Public Trust Office may determine.

10. It shall not be lawful for any person to pay or accept payment of any enemy debt (except in cases where recovery thereof in a Court of law is allowed as hereinafter provided) otherwise than through the Clearing Office, and no person interested in any such debt as debtor or creditor shall have any communications with any other person interested therein as creditor or debtor except through or by leave of the Clearing Office; and if any person contravenes or does any act with intent to contravene this provision he shall be guilty of an offence and liable to be prosecuted and punished as if he had been guilty of the offence of trading with the enemy contrary to the Trading with the Enemy Act, 1914, and as if that Act still remained in force.

11. It shall not be lawful for any person to take proceedings in any Court for the recovery of an enemy debt except in the cases provided for by paragraphs 16, 23, and 25 of the Annex to Section III of Part X of the Treaty.

12. The Public Trustee as the Controller of the New Zealand Clearing Office is hereby empowered to sue for and recover in his own name in the Supreme Court of New Zealand or in any other Court of competent jurisdiction any enemy debt owing by a New Zealand national, together with such interest as is payable under paragraph 22 of the Annex to the said Section III of the Treaty.

13. The Public Trustee may in like manner sue for and recover any fine payable under paragraph 10 of the Annex to the said Section III.

14. If any creditor refuses or fails to give such notice or to furnish such documents or information as are mentioned in paragraph 5 of the Annex to the said Section III he shall be liable on summary conviction to a fine not exceeding twenty pounds.

15. If any person collusively gives notice of or admits any debt which is not owing, or furnishes any false information with respect to any debt, he shall on summary conviction be liable to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months.

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

17. The time at which the period of prescription or limitation of right of action referred to in Article 300 of the Treaty shall begin again to run shall be on the expiration of six 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 300 of the Treaty shall be six months from the coming into force of the Treaty.