

RELEASE OF PROPERTY OF EX-ENEMY ALIENS IN NECESSITOUS CIRCUMSTANCES.

18. In section 25 and the following sections of my previous report I set out at length extracts from the Special Report of the Committee under the chairmanship of the Right Hon. Lord Blanesburgh, G.B.E., appointed by the Board of Trade to advise, within the limits laid down by His Majesty's Government, upon applications for the release of the property of ex-enemy aliens in necessitous circumstances. In the matter of releases the New Zealand Government has conformed with the practice of the British authorities. For the purpose of easy reference the limits adopted on the recommendations of the Committee within which releases are granted in the United Kingdom are set out fully below :—

- (a.) On its appointment in October, 1920, the Committee was authorized to recommend the release—(1) to ex-enemy nationals resident in the United Kingdom, of property to the value of £1,000; and (2) to ex-enemy nationals formerly resident in the United Kingdom but then resident elsewhere, property to the value of £200. On the 27th June, 1922, this limit of £200 was increased to £500 in respect of German nationals only.
- In addition to property the Committee was authorized to recommend the release of income up to a reasonable amount.
- (b.) On the 16th August, 1921, the Committee was authorized to recommend the release to the owner, in order that he might resume business, of the proceeds of a business wound up under the Trading with the Enemy Acts up to a sum of £5,000 (or, in the case of two or more partners, up to £5,000 each) where the owner was before the war and had since been permitted to remain resident in the United Kingdom and where the Committee considered that it was desirable in the national interest.
- (c.) The additional recommendations made in the Special Report of Lord Blanesburgh's Committee, dated 24th December, 1923, which were subsequently adopted by the Board of Trade, were as follows :—
- I. (a.) In the case of applicants who are of British birth or born abroad of a British father and are permanently resident in this country—unrestricted power of recommendation.
 - (b.) In the case of British subjects who have become German nationals by marriage subsequent to Peace Day—19th July, 1919—unrestricted power of recommendation.
 - (c.) In the case of other British subjects who have become German only by marriage but are not permanently resident in this country—unrestricted power of recommendation as to income; power of recommendation restricted to £5,000 as to capital.
 - II. In the case of applicants resident in Great Britain before the war and permitted at its close either to remain or return, and whose permanent residence has since been there—unrestricted power of recommendation where the advisory body is satisfied that the case would be suitable for naturalization if the statutory period of disqualification had expired.
 - III. In the case of an applicant who, although a German national in Germany, is in the United Kingdom a British subject,—
 - (a.) Where resident in British territory—unrestricted power of recommendation.
 - (b.) Where resident elsewhere and where British nationality is due to the fact that his or her father at birth was British—unrestricted power of recommendation.
 - (c.) In any case where it is established to the satisfaction of the advisory body that his or her sympathies and interests have always been predominantly British—unrestricted power of recommendation.
 - (d.) In any other case, power to make a recommendation as if he or she had been a German national resident here before the war—namely, if necessitous, capital up to £500, and income to a reasonable amount.
 - IV. (a.) In the case of a person whose sole nationality is British and who has succeeded to charged property under the will of a German national made before the 10th January, 1920, or by reason of the intestacy of such a national—unrestricted power of recommendation.
 - (b.) Where the property charged devolves under the will of a British testator or one resident in this country, or is comprised in a settlement made by a British settlor or by a settlor so resident—a power of recommendation as if the applicant had been resident here before the war.
 - (c.) Where the property charged represents earnings or savings from earnings made by the applicant in this country, then if the applicant satisfies the advisory body that he or she is in necessitous circumstances—power of recommendation restricted to £1,000.

The Committee qualified their recommendations as set out above in the following words :—

- (1.) There should be no general releases. We are satisfied that, if there were, property would be released which ought properly to be retained.
- (2.) Every application for exemption should be dealt with on its merits. There should be one advisory body only, and to it all such applications should be referred. It is most desirable that applications for exemption should all be dealt with in accordance with the same principles.
- (3.) The amounts stated are in every case maxima; they are in any particular case reducible to any extent.
- (4.) The further releases here detailed, which are not expressed in terms of our existing powers, may, except where otherwise stated, be recommended whether or not the circumstances of the applicant are necessitous. But it should be a bar to any recommendation that the applicant during the war has voluntarily participated in any act hostile to the Allies.
- (5.) Recommendations for release can only extend to property rights and interests still unrealized, or, if realized, still unapplied, and not credited through. We are advised that it would be productive of great confusion if this rule were not adopted.
- (6.) Life interests and reversionary interests should always be more readily released than any other form of property. The reason is that such property can rarely be realized on other than disadvantageous terms where the life is not available for medical examination.