

## TRADING WITH THE ENEMY.

No. 23 of 1921.

An Act to amend the *Trading with the Enemy Act 1914-1916.*

[Assented to 15th December, 1921.]

**B**E it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

1.—(1.) This Act may be cited as the *Trading with the Enemy Act 1921.* Short title and citation.

(2.) The *Trading with the Enemy Act 1914-1916* is in this Act referred to as the Principal Act.

(3.) The Principal Act as amended by this Act may be cited as the *Trading with the Enemy Act 1914-1921.*

2. Section nine **n** of the Principal Act is amended—

Amendment of section 9n.

(a) by inserting in sub-section (3.) thereof after the words “carrying out of the order” the words “and any question as to any liability of such person, firm or company, whether relating to existence, amount or priority of the liability or otherwise”; and

(b) by inserting therein, after sub-section (3.), the following sub-section:—

“(3A). Any application under the last preceding sub-section to the High Court or a Justice thereof for the determination of any question referred to in the application, may be made and renewed from time to time by any person claiming to be a creditor (whether for a liquidated or unliquidated amount) of the person, firm or company, the business of whom or which is ordered to be wound up; and upon such application the High Court or Justice shall hear evidence orally or otherwise and shall determine the question.”

3. After section nine **s** of the Principal Act the following section is inserted:—

“9r. For the purposes of any action, claim, demand or proceeding, in respect of the assets of the business of any person, firm or

Period of war not to count under Statutes of Limitations

company ordered to be wound up under this Act, commenced, made or taken or proposed to be commenced, made or taken—

- (a) by or on behalf of the Minister, the Public Trustee or a controller appointed under this Act; or
- (b) by any person against the Minister, the Public Trustee or any such controller or against any person firm or company the business of whom or of which has been ordered to be wound up under this Act,

the period of the war shall not be taken into account in determining the period of limitation of right of action under any Statute of Limitations.”

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