

1 4 2 6

1
4
2
6TERMINATION OF STATE OF WAR WITH GERMANY.Connected Files.

182/46

Final Act of Paris Conference on Reparations (German External Assets)

181/46

Trading with the Enemy legislation

153/46

Claims against former German Reich



1426



AIR MAIL

CIRCULAR SAVINGRAM

PRIORITY

CONFIDENTIAL

From the Secretary of State for the Colonies

To the Officer Administering

the Government of **FALKLAND ISLANDS**

25021/3/51

9th March, 1951

TERMINATION OF STATE OF WAR WITH
GERMANY

79.2.18/46

As forecast in paragraph 4 of my Circular Savingram 97058/67/88/51 of 20th February a Notice of termination of the state of war with Germany will shortly be published in the London Gazette. The considerations that have led up to the decision to publish this Notice, of which a copy of the draft is annexed, are contained in Intel No.28 of 17th February which has already been sent to you. As the draft Notice indicates, the state of war with Germany will cease from the day of publication of the Notice, of the precise date of which I will notify you by telegram as soon as possible.

SECEP.

Copies sent to:-

Commonwealth Relations Office.

11 APR 1951

TERMINATION OF THE STATE OF WAR
WITH GERMANY

It is notified that the formal state of War

with Germany is terminated as from

~~4.00 clock~~ ~~from~~ to ^{on} ~~day~~ the
..... ~~at~~ ^{July} 9th 1951.

On the instructions of His Majesty's
Principal Secretary of State for Foreign Affairs
the United Kingdom High Commissioner in Germany
addressed on ~~at~~ ^{July} 9th 1951,
a communication to the Federal Government of
Germany in the following terms:

His Majesty's Government in the United
Kingdom, bearing in mind that on
3rd September, 1939 a state of war was
notified with the German Reich,

that active hostilities were ended
by the Declaration regarding the Surrender
of the German Reich issued on the
5th June, 1945,

that through circumstances beyond
German control it has as yet proved
impossible to conclude a Treaty which
would dispose of questions arising out of
the state of war with the German Reich,
have determined that, without prejudice to
the Occupation Statute, or to the decision of
questions the settlement of which must await
the conclusion of a Treaty, the formal state
of war between the United Kingdom and Germany
shall be immediately terminated.

A notification is, therefore, being
published that the formal state of war with

Germany...

See " " on
page 2 of 4

Germany has terminated as from *4 o'clock p.m.*
on the *9th July*....., 1951.

His Majesty's Government in the United Kingdom must reserve the right to retain any money or property subject to control by virtue of Trading with the Enemy legislation or in the custody of any prize court but they desire to recall that *Under that legislation* no obstacle has been placed since 29.3.49 in the way of the resumption of full commercial and financial dealings between persons in the United Kingdom and persons in Germany or of the acquisition of property not then subject to control, and this position will remain unaltered.

Contracts concluded before the war between persons in the United Kingdom and persons in Germany will also remain subject to Trading with the Enemy legislation, but contracts concluded on or after 29.3.49 have been in the same position as contracts concluded with persons in any friendly country and no obstacles have been or will be raised in connexion with them by reason of the fact that a formal state of war has previously existed between the United Kingdom and Germany.

4

DECODE

TELEGRAM RECEIVED

From SECRETARY OF STATE to GOVERNOR.

Despatched 5.8.7.51. Time 1500. Received 6.7.51. Time 0900.

Circular No 22. CONFIDENTIAL. My telegram 9th March Confidential Circular Saving 1951. Termination State of War with Germany.

The notice enclosed in my circular under reference published in a special supplement to London Gazette at 4 p.m. B.S.T. on July 9th, the German Federal Law removing from German legislation all references to a state of war having been promulgated on June 16th thus clearing the way for action by 3 occupying powers.

2. Notice enclosed in draft in my telegram under reference Saving will be amended by addition after sub paragraph ending "issued on June 5th 1945" of following sub paragraph:-
"but nevertheless formal state of war with Germany has continued to subsist so far as municipal law of United Kingdom is concerned, and will so continue until appropriate action is taken by H.M. Government to terminate it." And by insertion "under that legislation" between "recall that" and "no obstacle" in penultimate paragraph of notice.

3. You will no doubt arrange for appropriate publication locally.

SECRETARY OF STATE.

G.T.C.
SS

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YH

Page 4. We may now publish 2 & 3
as amended as a Gazette Notice, pl.

W. J. A. C. S.

2/1/51

W. J. A. C. S.

Yes H.

|||

2/1/51

Office

Snape

W. J. A. C. S.

2/1/51

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● DECODE.

TELEGRAM RECEIVED

From SECRETARY OF STATE to GOVERNOR.

Despatched: 17.7.51. Time: 1245. Received: 18.7.51 Time: 0900.

4 Unnumbered Circular July 16th. My telegram No 22 circular.
Termination of state of war with Germany.

Blank spaces in notice enclosed in my telegram 9th March circular saving should be filled in with

- (i) 4 o'clock p.m.;
- (ii) July 9th;
- (iii) July 9th;
- (iv) 4 o'clock p.m. and
- (v) 9th July; in that order.

* Regret this was not made clear originally.

SECRETARY OF STATE.

A.C.S.

Have we got to issue a Gazette notice?

(Intld) M.R.R.

18/7/51.

G.T.C.
S.S.

I have amended draft wh. may now be final J.S/4.

Colonial Secretary's Office,
Stanley, Falkland Islands.
23rd July, 1951.

TERMINATION OF THE STATE OF WAR WITH GERMANY.

It is notified that the formal state of War with Germany is terminated as from 4 o'clock p.m. on the 9th July, 1951.

On the instructions of His Majesty's Principal Secretary of State for Foreign Affairs the United Kingdom High Commissioner in Germany addressed on the 9th of July, 1951, a communication to the Federal Government of Germany in the following terms:

His Majesty's Government in the United Kingdom, bearing in mind that on 3rd September, 1939, a state of war was notified with the German Reich,

that active hostilities were ended by the Declaration regarding the Surrender of the German Reich issued on the 5th of June, 1945,

but nevertheless formal state of war with Germany has continued to subsist so far as municipal law of United Kingdom is concerned, and will so continue until appropriate action is taken by His Majesty's Government to terminate it,

that through circumstances beyond German control it has as yet proved impossible to conclude a Treaty which would dispose of questions arising out of the state of war with the German Reich, have determined that, without prejudice to the Occupation Statute, or to the decision of questions the settlement of which must await the conclusion of a Treaty, the formal state of war between the United Kingdom and Germany shall be immediately terminated.

A notification is, therefore, being published that the formal state of war with Germany has terminated as from 4 o'clock p.m. on the 9th of July, 1951.

His Majesty's Government in the United Kingdom must reserve the right to retain any money or property subject to control by virtue of Trading with the Enemy legislation or in the custody of any prize court but they desire to recall that under that legislation no obstacle has been placed since 29.3.49. in the way of the resumption of full commercial and financial dealings between persons in the United Kingdom and persons in Germany or of the acquisition of property not then subject to control, and this position will remain unaltered.

Contracts concluded before the war between persons in the United Kingdom and persons in Germany will also remain subject to Trading with the Enemy legislation, but contracts concluded on or after 29.3.49. have been in the same position as contracts concluded with persons in any friendly country and no obstacles have been or will be raised in connexion with them by reason of the fact that a formal state of war has previously existed between the United Kingdom and Germany.

By Command,

[Signature]
COLONIAL SECRETARY.