

(2) Nothing in this regulation shall affect—

- (a) Any power of sale of a mortgagee of land or an interest in land who was in possession of the mortgaged property at the commencement of these regulations, or who has appointed a receiver who at the commencement of these regulations was in possession of the mortgaged property or in receipt of the rents and profits thereof :
- (b) Any power of sale of a mortgagee in possession of property other than land or some interest in land, where the power of sale has arisen and notice of the intended sale has been given before the commencement of these regulations :
- (c) Any right or power of pawnbrokers to deal with pledges :
- (d) The institution or prosecution of any proceedings for the appointment by any Court of a receiver of any property, or for the recovery of possession of land otherwise than in default of payment of rent.

(3) For the purposes of this regulation the appropriate Court in relation to any act specified in paragraph (a) or paragraph (e) of clause (1) of this regulation shall be the Court by which the judgment concerned was given or the Court in which the proceedings concerned are intended to be commenced or continued, as the case may be. Subject to the foregoing provisions of this clause, the appropriate Court for the purposes of this regulation shall be the Supreme Court in any case where either the amount claimed or the value of the property concerned exceeds £2,000, and in every other case shall be either the Supreme Court or a Magistrate.

5. (1) If on any application for the leave of the appropriate Court to do or to continue or complete the doing of any act affected by the last preceding regulation the Court is of opinion that the person liable to satisfy the judgment or to pay the debt or to perform the obligation in question is unable immediately to do so by reason of circumstances directly or indirectly attributable to any war in which His Majesty may be engaged the Court may, in its absolute discretion, after considering all the circumstances of the case and the position of all the parties, refuse the application for leave or grant it either unconditionally or upon or subject to such conditions as the Court thinks fit.

(2) No appeal shall lie from any decision of the Supreme Court or of a Magistrate under this regulation.

6. Where a bankruptcy petition has been presented against any debtor or a winding-up petition has been presented against any company on the ground that it is unable to pay its debts, and the debtor or company proves to the satisfaction of the Court having jurisdiction in the bankruptcy or winding-up that his or its inability to pay his or its debts is due to circumstances directly or indirectly attributable to any war in which His Majesty may be engaged, the Court may, in its absolute discretion, after considering all the circumstances of the case and the position of all the parties, at any time stay the proceedings under the petition for such time and subject to such conditions as the Court thinks fit.

C. A. JEFFERY,
Clerk of the Executive Council.