

this Annex applies. Where a claim is filed with the Party in whose jurisdiction the property is located and Article 22 of this Annex applies, such Party shall notify all other Parties and shall consider the claims of all non-enemy nationals of Parties who qualify under Article 21 of this Annex.

ARTICLE 24.

A. — Release of property under this Part shall be made in kind unless:

- i) the property has been liquidated prior to the date on which an eligible sponsored claim is filed with respect to the property pursuant to Article 23 of this Annex, or
- ii) the Parties concerned agree that release in kind would not be practicable; or.
- iii) the property to be released is a production enterprise or a substantial interest therein, and such property or the enterprise organised under the laws of Germany is Germany controlled and, after full consideration of the economic interests of the other Party or Parties concerned, the Party in whose jurisdiction the property is located determines in exceptional cases that its national security nevertheless requires retention of the property and gives notice to the other Party or Parties to that effect.

B. — Where release is not made in kind, there shall be released in substitution the proceeds of the sale or liquidation of the property which would otherwise have been released in kind. If such property has not been sold or liquidated within one year after agreement under sub-paragraph (ii) of Paragraph A of this Article or the giving of notice under sub-paragraph (iii) thereof, or within an agreed extension beyond that period, the value of the property retained as determined by accepted principles of valuation shall be released.

ARTICLE 25.

With respect to the types of property covered by Articles 1 to 4 inclusive of this Annex, owned by enterprises governed by Part IV of this Annex, property shall be regarded as being within the jurisdiction of the Party which would be entitled to obtain the release of such property under the principles of such Articles; in the case of foreign currency accounts under Article 5 of this Annex, maintained in favour of an enterprise governed by Part IV, the country where the primary account is maintained and the country where the cover account is maintained shall each be regarded as having jurisdiction over the property to the extent of 50 % of the foreign currency cover account.

PART V

INTERPRETATION AND APPLICATION

ARTICLE 26.

A. — A Party shall not be obliged to release an enemy interest in property to another Party or to an enterprise organized under the laws of that other Party except to the extent that such interest will be, treated directly or indirectly by the recipient Party as German enemy.