



FIFTY-FIRST ANNUAL REPORT

of the
Foreign Compensation Commission
for the Financial Year ended
31 March 2006

*Presented to Parliament by the Lord Privy Seal,
Leader of the House of Commons and Minister for Women
by Command of Her Majesty
July 2007*

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Functions

1. The Foreign Compensation Commission (FCC) was established in 1950 to support the consular work of the Foreign and Commonwealth Office by providing a mechanism to determine complex or numerous compensation claims through an independent and impartial quasi-judicial process. The FCC has also been engaged prior to settlement negotiations to administer a stocktaking of British property losses overseas at the hands of foreign Governments. Where compensation is secured through diplomatic or other means, the FCC then determines the entitlement of claimants to compensation. To date there have been seven registration programmes to assess losses prior to negotiations and thirteen compensation programmes to distribute funds.
2. The FCC carries out a range of administrative functions in addition to assessing losses and determining claims. These functions include facilitating and examining claims pending adjudication, investing and managing funds prior to distribution, paying out compensation, maintaining registers and records, and responding to diplomatic and other queries about claims and events giving rise to claims programmes, and ensuring compliance with regulatory and reporting requirements.

Creation and Status

3. The FCC was established by the Foreign Compensation Act, 1950 and is governed by that Act, as amended,¹ and by Statutory Instruments pursuant thereto. It appears on the Cabinet Office List of Non-Departmental Public Bodies, classed as a "Tribunal NDPB".
4. The FCC is scheduled under the Tribunals and Inquiries Act, 1992. By virtue of that Act and an Order pursuant to its predecessor Act of 1971, its judicial procedures have been under the supervision of the Council on Tribunals since 1984. In 1996 the administrative practices of the Foreign Compensation Commission were brought within the jurisdiction of the Parliamentary Commissioner for Public Administration by inclusion in Schedule 4 of the Parliamentary Commissioner Act 1967. The FCC is operating on a care and maintenance basis with functions as described herein.

Personnel

5. The part-time Chairman of the Commission, Dr John Barker, and the part-time Secretary, Mr Barrie England, both appointed in 2004, continued in their posts. The Commission employed a part-time staff member to carry out data-entry and other clerical duties.

¹ The principal governing legislation is the Foreign Compensation Act 1950, 14 Geo. 6. c12 as amended by The Foreign Compensation Act 1962, 11 & 12 14 Eliz.2. c4; The Foreign Compensation Act, 1969 c.20 and as further amended by the Statute Law (Repeals) Act, 1989 c. 43 and The Foreign Compensation (Amendment) Act, 1993 c. 16.

Progress of Work

7. During the year the Commission started to implement the work envisaged in the previous report.² This predominantly comprised electronic capture of claims data. This will enable Commission staff, the Foreign and Commonwealth Office and other interested parties to have better access to information relating to programmes for which the Commission has been responsible. It will also facilitate the generation of statistical data and other information that will facilitate forward planning, reliable and prompt responses to queries and the provision of advice on large-scale case management and claims handling, drawing upon lessons learned in the past.
8. The National Archives continued to consult the Commission over inquiries received under the Freedom of Information Act. The Commission also received a number of direct inquiries about claims from individuals and foreign governments. Although the case files of the FCC are not subject to the Freedom of Information Act by virtue of its status, the Commission adopts relevant substantive and procedural standards set out in the Freedom of Information Act to conform with open government policy and obligations under the Data Protection Act.

Expenses of the Commission

9. As there were no claims funds generating revenue during the period, the expenses of the Commission were met from monies provided by Parliament and were accounted for in Class II, vote 2, External Relations of the Foreign and Commonwealth Office.

Summary of Expenses – Financial Year ended 31 March 2006

Pay and Superannuation	£32,917.70
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² Fiftieth Annual Report of the Foreign Compensation Commission for the Financial Year ended 31 March 2005. Cm 6778.



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