



National Debt Act 1870

1870 CHAPTER 71 33 and 34 Vict

PART I

Preliminary

1 Short title.

This Act may be cited as “The National Debt Act 1870.”

2 ^{F1}

Textual Amendments

F1 Ss. 2, 4 repealed by [Statute Law \(Repeals\) Act 1986 \(c. 12\)](#), s. 1(1), [Sch. 1 Pt. III](#)

3 Interpretation of terms.

In this Act—

^{F2}

“Stock” means the several capital or joint stocks of perpetual annuities described in the first schedule to this Act, and includes any share or interest therein respectively:

[^{F3}“Stockholder” means a person holding stock, being entered as such in—

(a) [^{F4}a register kept by the Registrar of Government Stock in accordance with regulations under section 47 of the Finance Act 1942 (see regulation 7 of the Government Stock Regulations 2004); or]

(b) a register kept by the Operator of a relevant system under the Uncertificated Securities Regulations 2001 (and “Operator” and “relevant system” shall have the same meanings as they have in those Regulations);]

Changes to legislation: There are currently no known outstanding effects for the National Debt Act 1870. (See end of Document for details)

“Warrant” includes draft, order, cheque, or other document used as a medium for payment of dividends:

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F5

“The Consolidated Fund” means the consolidated fund of the United Kingdom of Great Britain and Ireland:

“The Court of Chancery” means the Court of Chancery in England or the Court of Chancery in Ireland as the case requires:

“Person” includes corporation:

[^{F6}“the Registrar of Government Stock” means the person or persons appointed in accordance with regulations under section 47(1)(b) of the Finance Act 1942 (see regulation 3 of the Government Stock Regulations 2004):]

“Representatives” means executors, administrators, or successors and assigns.

Textual Amendments

F2 Definition repealed by Statute Law Revision (No. 2) Act 1893 (c. 54)

F3 S. 3: definition of “Stockholder” substituted (26.11.2001) by S.I. 2001/3755, reg. 51, **Sch. 7 Pt. I para. 1** (with regs. 39, 45)

F4 Words in s. 3 substituted (1.7.2004) by The Government Stock (Consequential and Transitional Provision) (No. 2) Order 2004 (S.I. 2004/1662), art. 1, Sch. paras. 1, **3(2)(a)** (with art. 3)

F5 Words in s. 3 omitted (1.7.2004) by virtue of The Government Stock (Consequential and Transitional Provision) (No. 2) Order 2004 (S.I. 2004/1662), art. 1, Sch. paras. 1, **3(2)(b)** (with art. 3)

F6 Words in s. 3 inserted (15.11.2004) by Government Stock (Consequential and Transitional Provision) (No.3) Order 2004 (S.I. 2004/2744), art. 1, **Sch. para. 1(2)** (with art. 3)

Modifications etc. (not altering text)

C1 Functions of (a) Court of Chancery in England now exercisable by Chancery Division of the High Court: [Supreme Court of Judicature \(Consolidation\) Act 1925 \(c. 49\)](#), **ss. 18, 56(1)(a)**; (b) Court of Chancery in Ireland now exercisable by High Court of Justice in Northern Ireland: [Supreme Court of Judicature Act \(Ireland\) 1877 \(c. 57\)](#), **s. 71** and S.R. & O. 1921/1802 (Rev. XVI, p. 954: 1921, p. 1332), art. 2

4 F7

Textual Amendments

F7 Ss. 2, 4 repealed by Statute Law (Repeals) Act 1986 (c. 12), s. 1(1), **Sch. 1 Pt. III**

Changes to legislation: There are currently no known outstanding effects for the National Debt Act 1870. (See end of Document for details)

PART II

Denominations and Incidents of Stock

5 Continuance of existing permanent funded debt on existing terms.

The perpetual annuities described in the first schedule to this Act, to the respective amounts thereof subsisting at the passing of this Act, and the several capital sums in respect whereof those several annuities are payable, do and shall form part of the National Debt, . . . ^{F8}

All the annuities aforesaid shall respectively continue redeemable by Parliament . . . ^{F8}, at the rate of one hundred pounds sterling for every one hundred pounds of the capital sums in respect whereof they are payable . . . ^{F9}

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Textual Amendments

- F8** Words repealed by [Statute Law Revision Act 1950 \(c. 6\)](#)
F9 Words repealed by [Finance Act 1942 \(c. 21\)](#), [Sch. II](#), Pt. III

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Modifications etc. (not altering text)

- C2** [S. 5](#) excluded in part (26.3.2015) by [Finance Act 2015 \(c. 11\)](#), [s. 124\(4\)\(a\)\(7\)](#)

6 Stock charged on consolidated fund.

The annuities and dividends aforesaid shall continue to be charged on and payable out of [^{F10}the National Loans Fund with recourse to] the consolidated fund.

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Textual Amendments

- F10** Words inserted by [National Loans Act 1968 \(c. 13\)](#), [Sch. 5](#)

7—10. ^{F11}

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Textual Amendments

- F11** [Ss. 7 - 10, 17](#) repealed by [Statute Law Revision Act 1950 \(c. 6\)](#)

11 Annuities to be several joint stocks.

The annuities of each denomination mentioned in the first schedule to this Act taken together shall continue to constitute one capital or joint stock; and all persons for the time being entitled thereto shall continue to have a proportional interest in every such capital or joint stock.

Changes to legislation: There are currently no known outstanding effects for the National Debt Act 1870. (See end of Document for details)

PART III

Payment of Dividends

12 Money for payment to be issuable.

Sufficient money to pay the dividends on all stock, with the charges attending the same, shall continue to be from time to time issuable for that purpose out of the [^{F12}National Loans Fund].

Textual Amendments

F12 Words substituted by [National Loans Act 1968 \(c. 13\), Sch. 5](#)

[^{F13}13 Registrar of Government Stock to employ suitably qualified persons

Until all stock is redeemed, the Registrar of Government Stock must employ suitably qualified persons to administer the payment of the dividends on stock.]

Textual Amendments

F13 S. 13 substituted (1.7.2004) by [The Government Stock \(Consequential and Transitional Provision\) \(No. 2\) Order 2004 \(S.I. 2004/1662\)](#), art. 1, Sch. paras. 1, **3(3)** (with art. 3)

[^{F14}14 Issue by Treasury.

- (1) The money from time to time and at any time—
 - (a) issuable out of the National Loans Fund, and
 - (b) by this Act made applicable to the payment of the dividends on stock,
 shall, by order of the Treasury, without other warrant, from time to time be issued and made available for the payment of those dividends.
- (2) The Registrar of Government Stock shall from time to time notify the Treasury of the amount of the money to be so issued which he requires to be made available to him for the making of payments in respect of those dividends.
- (3) The Treasury shall make that amount available to the Registrar of Government Stock for the making of such payments.]

Textual Amendments

F14 S. 14 substituted (15.11.2004) by [Government Stock \(Consequential and Transitional Provision\) \(No.3\) Order 2004 \(S.I. 2004/2744\)](#), art. 1, **Sch. para. 1(3)** (with art. 3)

Modifications etc. (not altering text)

C3 S. 14 modified (29.4.1996) by [1988 c. 1, s. 118E\(2\)\(a\)](#) (as inserted (29.4.1996) by [1996 c. 8, s. 156, Sch. 29 Pt. I para. 1](#))

Changes to legislation: There are currently no known outstanding effects for the National Debt Act 1870. (See end of Document for details)

[^{F15}15 Application of money by Registrar of Government Stock

The Registrar of Government Stock shall without delay apply in payment of the dividends on stock the money from time to time so made available to him.]

Textual Amendments

F15 S. 15 substituted (15.11.2004) by [Government Stock \(Consequential and Transitional Provision\) \(No.3\) Order 2004 \(S.I. 2004/2744\)](#), art. 1, **Sch. para. 1(4)** (with art. 3)

[^{F16}16 Accounting by Registrar of Government Stock

The Registrar of Government Stock shall from time to time render his accounts relating to the money [^{F17}made available] to him for the payment of the dividends on stock and those accounts shall be audited, as the Treasury from time to time direct, but the Treasury may, if they think fit, dispense with such audit.]

Textual Amendments

F16 S. 16 substituted (1.7.2004) by [The Government Stock \(Consequential and Transitional Provision\) \(No. 2\) Order 2004 \(S.I. 2004/1662\)](#), art. 1, Sch. paras. 1, **3(6)** (with art. 3)
F17 Words in s. 16 substituted (15.11.2004) by [Government Stock \(Consequential and Transitional Provision\) \(No.3\) Order 2004 \(S.I. 2004/2744\)](#), art. 1, **Sch. para. 1(5)** (with art. 3)

17 ^{F18}

Textual Amendments

F18 Ss. 7 - 10, 17 repealed by [Statute Law Revision Act 1950 \(c. 6\)](#)

18 ^{F19}

Textual Amendments

F19 S. 18 repealed by [Statute Law Revision Act 1966 \(c. 5\)](#)

19 ^{F20}

Textual Amendments

F20 S. 19 repealed by [Statute Law Revision Act 1950 \(c. 6\)](#)

20–21 ^{F21}

Changes to legislation: There are currently no known outstanding effects for the National Debt Act 1870. (See end of Document for details)

Textual Amendments

F21 Ss. 20, 21 repealed by [National Debt Act 1889 \(c. 6\)](#), **s. 6**

PART IV–PART V

22–42 **F22**

Textual Amendments

F22 Ss. 22 - 42 repealed by [Statute Law \(Repeals\) Act 1986 \(c. 12\)](#), s. 1(1), **Sch. 1 Pt. III**

PART VI

43— **F23**
50.

Textual Amendments

F23 Ss. 43 - 50 repealed by [Finance Act 1942 \(c. 21\)](#), **Sch. 11 Pt. III**

PART VII

Unclaimed Dividends

51— **F24**
53.

Textual Amendments

F24 Ss. 51 - 53 repealed by [Miscellaneous Financial Provisions Act 1955 \(4 & 5 Eliz. 2 c. 6\)](#), **Sch. 2 Pt. III**

54 Subsequent dividends on stock transferred to be invested, &c.

Where stock is transferred under this part of this Act all dividends accruing thereon after the transfer shall be paid to the National Debt Commissioners, and shall . . . ^{F25} be placed to their account of unclaimed dividends.

All such dividends . . . ^{F25} shall be held by those Commissioners for the public, subject to the claims of the parties entitled thereto.

Changes to legislation: There are currently no known outstanding effects for the National Debt Act 1870. (See end of Document for details)

Textual Amendments

F25 Words repealed by [Finance Act 1949 \(c. 47\)](#), [Sch. II Pt. VII](#)

Modifications etc. (not altering text)

C4 [S. 54](#) modified by [Finance Act 1949 \(c. 47\)](#), [s. 47\(2\)](#)

55 Re-transfer and payment to person showing title.

[^{F26}The Registrar of Government Stock may re-transfer any stock transferred under this Part to any person showing his right to it to the satisfaction of the Registrar of Government Stock, and pay the dividends due on it, as if the stock or dividends had not been transferred or paid to the National Debt Commissioners.]

But in case the [^{F27}Registrar of Government Stock] is not satisfied of the right of any person claiming to be entitled to any such stock or dividends, the claimant may, by petition in a summary way, state and verify his claim to the Court of Chancery.

The petition shall be served on Her Majesty’s Attorney General and on the National Debt Commissioners, and the Court shall make such order thereon (either for re-transfer of the stock to which the petition relates and payment of the dividends accrued thereon, or otherwise), and touching the costs of the application, as to the Court seems just.

All costs and expenses incurred by or on behalf of the Attorney General, or the National Debt Commissioners, in resisting or appearing on any such petition, if not ordered by the Court to be paid out of the stock and dividends thereby claimed, shall be paid by the National Debt Commissioners, out of unclaimed dividends.

Where any re-transfer or payment is made to any such claimant, either with or without the authority of the Court, the [^{F28}Registrar of Government Stock]^{F29}. . . shall give notice thereof to the National Debt Commissioners, within three days after making the same.

Textual Amendments

F26 Words in [s. 55](#) substituted (1.7.2004) by [The Government Stock \(Consequential and Transitional Provision\) \(No. 2\) Order 2004 \(S.I. 2004/1662\)](#), [art. 1](#), [Sch. paras. 1](#), [3\(7\)\(a\)](#) (with [art. 3](#))

F27 Words in [s. 55](#) substituted (1.7.2004) by [The Government Stock \(Consequential and Transitional Provision\) \(No. 2\) Order 2004 \(S.I. 2004/1662\)](#), [art. 1](#), [Sch. paras. 1](#), [3\(7\)\(b\)](#) (with [art. 3](#))

F28 Words in [s. 55](#) substituted (1.7.2004) by [The Government Stock \(Consequential and Transitional Provision\) \(No. 2\) Order 2004 \(S.I. 2004/1662\)](#), [art. 1](#), [Sch. paras. 1](#), [3\(7\)\(c\)](#) (with [art. 3](#))

F29 Words in [s. 55](#) repealed (28.10.2002) by [The Irish Registers of Government Stock \(Closure and Transfer\) Order 2002 \(S.I. 2002/2521\)](#), [arts. 1\(2\)](#), [2\(1\)](#), [Sch. 2 Pt. 1](#) (with [art. 9](#))

Modifications etc. (not altering text)

C5 [S. 55](#) amended (1.6.1998) by [1998 c. 11](#), [s. 9\(2\)](#); [S.I. 1998/1120](#), [art. 2](#)

C6 [S. 55](#) amended by [Finance Act 1937 \(c. 54\)](#), [s. 28](#)

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Textual Amendments

F30 Ss. 56, 57 repealed by Finance Act 1937 (c. 54), Sch. 6, Pt. II

58 Application to court to rescind order.

At any time before re-transfer of stock or payment of dividend as aforesaid to a claimant any person may apply to the Court of Chancery, by motion or petition, to rescind or vary any order made for re-transfer or payment thereof.

[^{F31}59 Bank and Registrar of Government Stock not responsible to second claimant

- (1) Where any stock or dividends have been re-transferred or paid as aforesaid to a claimant by the Bank of England, the Registrar of Government Stock or any previous Registrar of Government Stock and is or are afterwards claimed by another person, none of the persons mentioned in subsection (2) shall be responsible for that stock or those dividends to that other claimant but he may have recourse against the person to whom the re-transfer or payment was made.
- (2) Those persons are—
- (a) the Bank of England;
 - (b) the Registrar of Government Stock;
 - (c) any previous Registrar of Government Stock;
 - (d) any officer of any of the persons mentioned in paragraphs (a) to (c).]

Textual Amendments

F31 S. 59 substituted (1.7.2004) by The Government Stock (Consequential and Transitional Provision) (No. 2) Order 2004 (S.I. 2004/1662), art. 1, Sch. paras. 1, **3(8)** (with art. 3)

Modifications etc. (not altering text)

C7 S. 59 extended (*retrospectively*) by 2002 c. 23, s. **138(3)(5)**

60 Order in favour of second claimant showing title.

Provided, that if in any case a new claimant establishes his title to any stock or dividends re-transferred or paid to a former claimant, and is unable to obtain transfer or payment thereof from the former claimant, the Court of Chancery shall, on application by petition by the new claimant, verified as the Court requires, order the National Debt Commissioners to transfer to him such sum in stock, and to pay to him such sum in money for dividend, as the Court thinks just.

Such transfer shall be made from stock transferred to the National Debt Commissioners under this part of this Act; and such money for dividend shall be paid from dividends received by those Commissioners on stock so transferred, or the accumulations thereof, . . . ^{F32} or from other money at their disposal.

Changes to legislation: There are currently no known outstanding effects for the National Debt Act 1870. (See end of Document for details)

Textual Amendments

F32 Words repealed by [Finance Act 1949 \(c. 47\)](#), [Sch. II Pt. VII](#)

61–63 **F33**

Textual Amendments

F33 [Ss. 61 - 63](#) repealed by [Miscellaneous Financial Provisions Act 1955 \(4 & 5 Eliz. 2 c. 6\)](#), [Sch. 2 Pt. III](#)

64 **F34**

Textual Amendments

F34 [S. 64](#) repealed by [Bank Act 1892 \(c. 48\)](#), [Sch. Pt. II](#)

65 **F35**

Textual Amendments

F35 [S. 65](#) repealed by [Miscellaneous Financial Provisions Act 1955 \(4 & 5 Eliz. 2 c. 6\)](#) [Sch. 2 Pt. III](#)

66 Indemnity to Banks.

The^{F36}Registrar of Government Stock, any previous Registrar of Government Stock and the] Banks of England and Ireland and their respective governors, deputy governors, and officers are hereby indemnified in respect of any transfer or re-transfer of stock or payment of dividends under this part of this Act, and shall not be in any manner responsible to any person having or claiming any interest therein.

Textual Amendments

F36 Words in [s. 66](#) inserted (1.7.2004) by [The Government Stock \(Consequential and Transitional Provision\) \(No. 2\) Order 2004 \(S.I. 2004/1662\)](#), art. 1, [Sch. paras. 1, 3\(9\)](#) (with art. 3)

Modifications etc. (not altering text)

C8 [S. 66](#) extended (*retrospectively*) by [2002 c. 17, s. 138\(3\)\(5\)](#)

67 Application of this part to stock already transferred, &c.

Where under any former Act relating to unclaimed stock or unclaimed dividends any stocks, funds, or annuities, or any principal or other sums have, in consequence of the same or of the dividends thereon being unclaimed, been transferred to the National Debt Commissioners, or any unclaimed dividends have been paid to those

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Commissioners, this part of this Act shall have effect in relation to the stocks, funds, annuities, principal or other sums, and dividends so transferred and paid, and to any stock or security representing the same or any of them, and to all accumulations and investments of those dividends, in like manner, as nearly as may be, as if such transfer, payment, and investment were made after the passing of this Act under this part thereof.

68 F37

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Textual Amendments
F37 S. 68 repealed by Statute Law Revision Act 1966 (c. 5)

PART VIII

Miscellaneous

69 F38

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Textual Amendments
F38 S. 69 repealed by Statute Law Revision Act 1960 (c. 6)

70 F39

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Textual Amendments
F39 S. 70 repealed by Statute Law Revision Act 1963 (c. 30)

71 F40

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Textual Amendments
F40 S. 71 repealed by Finance Act 1963 (c. 25), Sch. 14 Pt. IV

72 F41

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Textual Amendments
F41 S. 72 repealed by Bank of England Act 1946 (c. 27), Sch. 3

Changes to legislation: There are currently no known outstanding effects for the National Debt Act 1870. (See end of Document for details)

73^{F42}

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Textual Amendments

F42 S. 73 repealed by Statute Law Repeals Act 1986 (c. 12), s. 1(1), **Sch. 1 Pt. III**

^{F43}**74**

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Textual Amendments

F43 S. 74 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. IX** Group1.

Changes to legislation:

There are currently no known outstanding effects for the National Debt Act 1870.