

Draft Order laid before Parliament under section 77(2) of the Deregulation and Contracting Out Act 1994, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

1998 No.

CONTRACTING OUT

**The Contracting Out (Functions Relating
to National Savings) Order 1998**

<i>Made</i>	- - - -	<i>1998</i>
<i>Coming into force</i>	- -	<i>1998</i>

Whereas the Treasury pursuant to section 69(3) of the Deregulation and Contracting Out Act 1994(1) have consulted the Director of Savings;

And whereas a draft of this Order has been laid before, and approved by a resolution of, each House of Parliament pursuant to section 77(2) of that Act;

Now, therefore, the Treasury, in exercise of the powers conferred on them by section 69(2) and (4) of that Act and of all other powers enabling them in that behalf, hereby make the following Order:—

Citation and commencement

1.—(1) This Order may be cited as the Contracting Out (Functions Relating to National Savings) Order 1998.

(2) This Order shall come into force on the day after the day on which it is made.

Interpretation

2. In this Order—

“the 1971 Act” means the National Savings Bank Act 1971(2);

“the 1972 Act” means the National Debt Act 1972(3);

“the Director” means the Director of Savings;

“the functions” means those functions of the Director relating to the Department for National Savings conferred by:

(1) 1994 c. 40.
(2) 1971 c. 29.
(3) 1972 c. 65.

- (a) sections 1(2), 5(1A)(4) and 6(3)(5) of the 1971 Act;
- (b) sections 2(2)(6), 7(1)(7) and 12 of the 1972 Act; and
- (c) statutory instruments made under sections 2, 3(2), 4, 6(1), 7(2), 8, 9(1) and 15(3) of the 1971 Act and sections 3, 6 and 11 of the 1972 Act.(8)

Contracting out of functions

3.—(1) Subject to paragraph (2) below, the functions, or any of them, may be exercised by, or by employees of, such person (if any) as may be authorised in that behalf by the Director.

(2) Paragraph (1) above does not apply to the functions listed in the Schedule to this Order.

1998

Two of the Lords Commissioners of Her
Majesty's Treasury

(4) Section 5(1A) was inserted by section 184(3) of the Finance Act 1989 (c. 26).
(5) Section 6(3) was amended by section 151(1) of, and paragraph 5(4) of Schedule 20 to, the Finance Act 1982 (c. 39).
(6) Section 2(2) was amended by section 36(2) of, and Schedule 6 to, the Trustee Savings Banks Act 1976 (c. 4).
(7) Section 7(1) was amended by section 36(1) and (2) of, and Schedules 5 and 6 to, the Trustee Savings Banks Act 1976 (c. 4).
(8) The current relevant regulations are those listed in the Schedule.

SCHEDULE

Article 3

1. Functions conferred on the Director by regulation 4(1)(b) of the Savings Banks (Ordinary Deposits)(Limits) Order 1969(9) (limits on amounts of deposits not to apply to deposits made with the Director's approval).

2. Functions conferred on the Director by the following provisions of the Savings Contracts Regulations 1969(10):

- (a) regulation 3(1) (applications for contracts);
- (b) regulation 5(1) (applications for payment);
- (c) regulation 6(1) (repayment warrants issued by the Director);
- (d) regulation 26(2) and (3) (obligation of secrecy).

3. Functions conferred on the Director by the following provisions of the National Savings Bank Regulations 1972(11):

- (a) regulation 21(1), (4) and (10) (procedure on withdrawals);
- (b) regulation 29(1) and (2) (withdrawal or transfer of investment deposits);
- (c) regulation 29A(7) (deposits to treasurer's accounts);
- (d) regulation 29G(1) (withdrawals from treasurer's accounts).

4. Functions conferred on the Director by the following provisions of the Premium Savings Bonds Regulations 1972(12):

- (a) regulation 3(2) (purchase of bonds);
- (b) regulation 7(1) (applications for payment);
- (c) regulation 8(1) (warrants);
- (d) regulation 19 (forfeiture of bonds);
- (e) regulation 30(2) and (3) (obligation of secrecy).

5. Functions conferred on the Director by the following provisions of the National Savings Stock Register Regulations 1976(13):

- (a) regulation 5(1) (subscription for stock);
- (b) regulation 6(1) (purchase of stock);
- (c) regulation 7(2)(h) (limit on amount of stock which may be purchased on any one day);
- (d) regulation 8(5) (limit on total holding of certain stock);
- (e) regulation 9 (forfeiture of stock);
- (f) regulation 22(1) (payments by the Director);
- (g) regulation 57(2) and (4) (obligation of secrecy).

(9) S.I.1969/939, amended by S.I. 1969/1699, 1987/330.

(10) S.I. 1969/1342; relevant amending instruments are S.I. 1977/1456, 1984/599, 1986/2001, 1988/1358, 1991/76, 1992/3112, 1997/1858.

(11) S.I. 1972/764; relevant amending instruments are S.I. 1974/553, 1978/888, 1980/619, 1981/484, 1982/487, 1282 and 1762, 1983/1367 and 1750, 1984/9 and 602, 1986/2001, 1988/1166 and 2144, 1989/25 and 2045, 1991/72, 1992/2892, 1993/3130, 1996/801 and 1724.

(12) S.I. 1972/765; relevant amending instruments are S.I. 1977/1447, 1980/452 and 767, 1981/310, 1984/601, 1986/2001, 1988/1356, 1991/73 and 1337, 1992/2891 and 3116, 1993/782, 1995/1002, 1997/1862.

(13) S.I. 1976/2012; relevant amending instruments are S.I. 1979/1677, 1981/485, 1983/1103, 1984/600, 1986/2001, 1987/1635, 1988/1355, 1989/652 and 2046, 1992/3218, 1993/783 and 3131, 1994/3277, 1996/156, 1997/1864.

6. Functions conferred on the Director by the following provisions of the Savings Certificates (Yearly Plan) Regulations 1984(**14**):

- (a) regulation 3(1) (applications to enter agreements);
- (b) regulation 6(1) (applications for repayment);
- (c) regulation 7(1) (repayment warrants);
- (d) regulation 31(2) and (3) (obligation of secrecy).

7. Functions conferred on the Director by the following provisions of the Savings Certificates Regulations 1991(**15**):

- (a) regulation 3(2) (purchase of certificates);
- (b) regulation 4(1)(c), (2) and (3) (persons entitled to purchase and hold certificates);
- (c) regulation 6(1) (applications for repayment);
- (d) regulation 7(1) (repayment warrants);
- (e) regulation 21 (forfeiture of certificates);
- (f) regulation 31(2) and (3) (obligation of secrecy).

8. Functions conferred on the Director by the following provisions of the Savings Certificates (Children's Bonus Bonds) Regulations 1991(**16**):

- (a) regulation 3(2) (purchase of certificates);
- (b) regulation 6(1) (applications for repayment);
- (c) regulation 7(1) (repayment warrants);
- (d) regulation 18 (forfeiture of certificates);
- (e) regulation 28(2)(b) and (3) (obligation of secrecy).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order enables the Director of Savings to authorise another person (or that person's employees) to exercise certain of the Director's functions under the legislation relating to the work of the Department for National Savings. The Schedule to the Order lists functions which the Director cannot authorise another person (or that person's employees) to exercise.

(14) S.I. 1984/779 amended by S.I. 1985/1035, 1986/2001, 1988/1357, 1989/1521, 1991/75, 1992/3114, 1993/3132, 1997/1863.

(15) S.I. 1991/1031 amended by S.I. 1992/2835 and 3115, 1993/3133, 1994/343, 1997/1859.

(16) S.I. 1991/1407 amended by S.I. 1992/3113, 1997/1860.