



# Banking Act 1987 (repealed)

## 1987 CHAPTER 22

### PART II

#### THE DEPOSIT PROTECTION SCHEME

##### *Supplementary provisions*

#### 64 Borrowing powers.

- (1) If in the course of operating the Fund it appears to the Board desirable to do so, the Board may borrow up to a total outstanding at any time of [<sup>F1</sup>£50 million] or such larger sum as, after consultation with the Board, the Treasury may from time to time by order prescribe.
- (2) An order under subsection (1) above shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) Any amount borrowed by virtue of this section shall be disregarded in ascertaining the amount standing to the credit of the Fund for the purposes of sections 54 (1), 55 (2) and 63 (5) above.

#### Textual Amendments

- F1** Words in s. 64(1) inserted (01.10.1991) by S.I. 1989/2405 (N.I. 19), art. 381(2), **Sch. 9 para. 53**; S.R. 1991/411, **art.2**

#### Modifications etc. (not altering text)

- C1** S. 64: power to apply conferred (9.6.1997) by 1997 c. 32, s. 32(2); S.I. 1997/1427, **art. 2(g)**.  
**C2** S. 64: power to repeal conferred (9.6.1997) by 1997 c. 32, s. 32(5)(a); S.I. 1997/1427, **art. 2(g)**.

*Status: Point in time view as at 18/07/1996.*

*Changes to legislation: There are currently no known outstanding effects for the Banking Act 1987 (repealed), Cross Heading: Supplementary provisions. (See end of Document for details)*

## 65 Power to obtain information.

(1) If required to do so by a request in writing made by the Board, the Bank may by notice in writing served on a contributory institution require the institution, within such time and at such place as may be specified in the notice, to provide the Board with such information and to produce to it such documents, or documents of such a description, as the Board may reasonably require for the purpose of determining the contributions of the institution under this Part of this Act.

[<sup>F2</sup>(2) Subsections (4), (5), (11) and (13) of section 39 above shall have effect in relation to any requirement imposed under subsection (1) above on a UK institution or participating non-EEA institution as they have effect in relation to a requirement imposed under this section.]

(3) The Board may by notice in writing served on [<sup>F3</sup>an insolvent institution or, where a person has been appointed as liquidator or administrator of such an institution, on that person, require the institution or person], at such time or times and at such place as may be specified in the notice—

- (a) to provide the Board with such information; and
- (b) to produce to the Board such documents specified in the notice,

as the Board may reasonably require to enable it to carry out its functions under this Part of this Act.

(4) Where, as a result of an institution [<sup>F4</sup>being wound up], any documents have come into the possession of the Official Receiver or, in Northern Ireland, [<sup>F4</sup>the Official Receiver for Northern Ireland], he shall permit any person duly authorised by the Board to inspect the documents for the purpose of establishing—

- (a) the identity of those of the institution's depositors to whom the Board are liable to make a payment under section 58 above; and
- (b) the amount of the protected deposit held by each of the depositors.

### Textual Amendments

**F2** S. 65(2) substituted (1.7.1995) by S.I. 1995/1442, **regs. 35(1), 53(1), 54(2)**

**F3** Words in s. 65(3) substituted (1.7.1995) by S.I. 1995/1442, **regs. 35(2), 53(1), 54(2)**

**F4** Words in s. 65(4) substituted (1.7.1995) by S.I. 1995/1442, **regs. 35(3), 53(1), 54(2)**

### Modifications etc. (not altering text)

**C3** S. 65: power to apply conferred (9.6.1997) by 1997 c. 32, **s. 32(2)**; S.I. 1997/1427, **art. 2(g)**.

**C4** S. 65: power to repeal conferred (9.6.1997) by 1997 c. 32, **s. 32(5)(a)**; S.I. 1997/1427, **art. 2(g)**.

## 66 Tax treatment of contributions and repayments.

In computing for the purposes of the Tax Acts the profits or gains arising from the trade carried on by a contributory institution—

- (a) to the extent that it would not be deductible apart from this section, any sum expended by the institution in paying a contribution to the Fund may be deducted as an allowable expense;
- (b) any payment which is made to the institution by the Board under section 55 (2) above or pursuant to a scheme under section 63 (2) above shall be treated as a trading receipt.

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*Status: Point in time view as at 18/07/1996.*

**Changes to legislation:** *There are currently no known outstanding effects for the Banking Act 1987 (repealed), Cross Heading: Supplementary provisions. (See end of Document for details)*

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**Modifications etc. (not altering text)**

- C5** S. 66: power to apply conferred (9.6.1997) by 1997 c. 32, s. 32(2); S.I. 1997/1427, art. 2(g).
- C6** S. 66: power to repeal conferred (9.6.1997) by 1997 c. 32, s. 32(5)(a); S.I. 1997/1427, art. 2(g).

**Status:**

Point in time view as at 18/07/1996.

**Changes to legislation:**

There are currently no known outstanding effects for the Banking Act 1987 (repealed), Cross Heading: Supplementary provisions.