
STATUTORY INSTRUMENTS

1972 No. 764

The National Savings Bank Regulations 1972

PRELIMINARY

Citation and commencement

1. These Regulations may be cited as the National Savings Bank Regulations 1972, and shall come into operation on 1st July 1972.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires—

“approved” means approved by the Director of Savings;

“charitable society” means a penny savings bank, or a charitable or provident institution or society, and includes a charitable donation or bequest for the maintenance, education, or benefit of the poor;

“deposit” means a deposit with the National Savings Bank, and “depositor” shall be construed accordingly;

“depositor serving in the Royal Navy or in the Royal Marines” includes a depositor who is an employee of the Navy, Army and Air Force Institutes serving in any of Her Majesty's ships on a foreign station;

“friendly society” means a friendly society registered under the Friendly Societies Act 1896 or a branch registered under that Act of a friendly society so registered;

“investment deposit” has the same meaning as in the National Savings Bank Act 1971;

“mentally disordered person”, in the application of these Regulations to England and Wales, means a person who is incapable, by reason of mental disorder within the meaning of the Mental Health Act 1959, of managing and administering his property and affairs;

“officer” used in connection with a society or body corporate includes the solicitor of the society or body;

“ordinary deposit” has the same meaning as in the National Savings Bank Act 1971;

“receiver”, in the application of these Regulations to England and Wales, means, in relation to any act or thing done or to be done in respect of a mentally disordered person, a receiver or other person authorised in that behalf under Part VIII of the Mental Health Act 1959;

“savings bank business” means the receipt and repayment of deposits with the National Savings Bank and all business incidental to such receipt and repayment;

“savings bank office” means a place at which savings bank business is transacted;

“savings certificate” means a certificate issued under the name of a war savings certificate or a national savings certificate by the Treasury through the department of the Postmaster General or under the auspices of the Director of Savings for the purpose of raising money authorised to be raised by any Act;

“Treasury Solicitor” means the Solicitor for the affairs of Her Majesty's Treasury;

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“trustee savings bank” means any trustee savings bank within the meaning of the Trustee Savings Banks Act 1969.

(2) Any reference in these Regulations to the provisions of any enactment or regulations shall be construed, unless the context otherwise requires, as a reference to those provisions as amended by any other enactment or regulations.

(3) The Interpretation Act 1889 shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament, and as if these Regulations and the Regulations hereby revoked were Acts of Parliament.

DEPOSIT AND WITHDRAWAL

Transaction of savings bank business

3. Savings bank business shall be transacted at such places as the Director of Savings shall determine and by such persons as he shall authorise.

Declaration by depositor

4.—(1) Subject to the provisions of these Regulations, a depositor, on opening an account and whenever thereafter required so to do, shall specify his full name and his residence and, if required, the date of his birth and his occupation, and shall make and sign a declaration in the approved form as to the facts so specified, and, if required, furnish the Director of Savings with an additional specimen of his signature.

(2) Except where the depositor is to be or is described in the account as a trustee pursuant to Regulation 5(2) or 9 below, the declaration shall set forth the particulars of every other account the depositor already has in the National Savings Bank (including every joint account in which his name appears) other than accounts in which he is described as a trustee pursuant to Regulation 5(2) or accounts to which Regulation 9 applies.

(3) Where the account is opened or held by a trustee otherwise than under Regulation 9 below, the declaration shall set forth the particulars of every other account in the National Savings Bank to which are credited moneys belonging to the same trust fund as that to which the moneys credited or to be credited to the first mentioned account belong, and, for the purposes of this paragraph, moneys credited to an account in the name of a trustee shall be deemed to belong to the same trust fund as that to which belong other moneys credited or to be credited to another account in the name of that trustee, unless such first mentioned moneys are held by that trustee upon trusts which (as respects the beneficiaries, or their respective interests, or the purposes of the trust, or the powers of the trustee) differ from those on which such other moneys are held by him.

(4) Where the declaration is made by a trustee pursuant to Regulation 9(2) below, the declaration shall set forth the particulars of every other account in the National Savings Bank standing in his name (including every joint account under Regulation 9 or otherwise in which his name appears as a trustee) in respect of which he is a trustee for the same (and no other) beneficiary.

(5) This Regulation shall not apply to accounts opened by or under the authority of any statute or statutory instrument whereunder the making of the declaration is dispensed with, or to cases in which the Director of Savings shall direct that the making of the declaration is unnecessary.

Depositors generally

5.—(1) Deposits may be made by and in the name of any person who has attained the age of seven years and who is not under any legal disability otherwise than by reason of his age.

(2) Where deposits are made by and in the name of a trustee otherwise than under Regulation 9 below, he may be described in the account as a trustee of a specified trust or as a trustee without specifying a trust.

Minors under seven years of age

6.—(1) Deposits may be made on behalf and in the name of a minor under the age of seven years.

(2) A declaration in the approved form shall be made by the person opening the account, who shall state in the declaration such facts relating to the minor as are required to be specified in relation to a depositor by Regulation 4(1) and (2) above.

(3) After attaining the age of seven years, the minor himself, whenever required to do so, shall specify such facts as aforesaid and make and sign a declaration in the approved form and, if required, furnish the Director of Savings with an additional specimen of his signature.

(4) Where it is proved to the satisfaction of the Director of Savings that any deposits in the name of a minor under the age of seven years are urgently needed for the maintenance, education, or benefit of the minor, or that in any other circumstances it is expedient so to do, the Director of Savings may, in his discretion, pay the deposits, or any part thereof, to any person whom he shall judge proper to receive the same.

Mentally disordered persons

7.—(1) Deposits may be made on behalf and in the name of a mentally disordered person by his receiver.

(2) On the opening of an account in the name of a mentally disordered person, a declaration in the approved form shall be made by his receiver, who shall specify the capacity in which he acts.

(3) Any application for the withdrawal of deposits standing in the name of a mentally disordered person, or any part thereof, shall be made by his receiver.

(4) Where a depositor is a mentally disordered person and there is no receiver by whom application for withdrawal of deposits standing in the depositor's name might be made, the Director of Savings may, if it is proved to his satisfaction that it is just and expedient so to do, pay the deposits, or any part thereof, to any person whom he shall judge proper to receive the same.

Joint accounts

8.—(1) Deposits may be made in the joint names of two or more persons entitled to make deposits.

(2) A declaration in the approved form shall be made by all the persons in whose names the account is to be opened.

(3) Any application to withdraw the deposits shall be made by all the persons in whose names the account stands, or by the survivor of those persons.

(4) Upon the application of all the said persons or the survivor of them, the Director of Savings may remove the name of any person from the title of the account and may substitute the name of another person in place thereof with the consent in writing of the person whose name it is desired to substitute, and every party to the account as altered shall make the declaration required upon the opening of an account.

Trust accounts

9.—(1) Deposits may be made by one person as trustee for another person in the joint names of the trustee and the beneficiary.

(2) A declaration in the approved form shall be made by the trustee.

(3) Any application to withdraw the deposits shall be made jointly by the parties to the account, or by the survivor of them.

(4) Where one of the parties to the account has become a mentally disordered person or bankrupt, the Director of Savings may, in his discretion, pay the deposits to the other party to the account, with or without the concurrence of the receiver or of the Official Receiver or trustee in bankruptcy (if any) of the party who is a mentally disordered person or bankrupt.

(5) The Director of Savings may, if he thinks fit, on the application of either party to the account, cause the account to be put in the name of the beneficiary alone or in the names of the beneficiary and another trustee; where the name of another trustee is substituted, he shall make a declaration in the approved form.

Friendly societies

10.—(1) Deposits may be made by a friendly society through its trustees either in the name of the society or in the names of the trustees, the full name of the society being entered in the title of the account.

(2) The trustees of the society shall forward to the Director of Savings—

- (a) a printed copy of the rules of the society; and
- (b) an application in the approved form for authority to make deposits, signed by the trustees and specifying the officers or members of the society who shall sign applications to withdraw the deposits.

(3) Where a friendly society is a branch of a larger friendly society, any officers of the central body or of any other branch of the larger society may be specified as the persons by whom applications for withdrawal shall be signed.

(4) The trustees may, by direction in writing in the approved form signed by them, amend their application for authority to make deposits so far as it relates to the specification of the officers or members of the society by whom applications for withdrawal shall be signed.

(5) Notwithstanding paragraphs (2)(b), (3) and (4) above, any application to withdraw the deposits may be made by any persons for the time being recognised by the Director of Savings as entitled to sign applications for withdrawal.

Charitable and other societies

11.—(1) Deposits may be made by the trustees or treasurer of a charitable society and by the trustees or treasurer of any other society (including in that expression any unincorporated body of persons) of moneys belonging to any fund, being a fund which the Director of Savings, in his discretion, shall deem proper to be deposited in the National Savings Bank.

(2) The trustees or treasurer of the society shall forward to the Director of Savings—

- (a) a copy of the rules of the society or, if there are no rules, a statement of the objects, constitution and character of the society; and
- (b) an application in the approved form for authority to make deposits, signed by the trustees or treasurer of the society, and specifying the officers or members of the society who shall sign applications to withdraw the deposits.

(3) The trustees or treasurer may, by direction in writing in the approved form signed by them or him, amend their or his application for authority to make deposits so far as it relates to the specification of the officers or members of the society by whom applications for withdrawal shall be signed.

(4) Notwithstanding paragraphs (2)(b) and (3) above, any application to withdraw the deposits may be made by any persons for the time being recognised by the Director of Savings as entitled to sign applications for withdrawal.

Building societies, industrial and provident societies, corporations and government departments

12.—(1) Deposits may be made in the name of a building society incorporated under the Building Societies Act 1962 or under the enactments repealed by that Act, in the name of a society registered under the Industrial and Provident Societies Act 1965, and (subject to the approval of the Director of Savings in each case) in the name of any other body corporate or in the name of a corporation sole.

(2) In the case of a corporation sole, a declaration in the approved form shall be made by the person constituting the corporation for the time being.

(3) Any application to withdraw the deposits shall be made—

- (a) in the case of a society or other body corporate, under its seal, or by the secretary or treasurer or two of the directors thereof for the time being;
- (b) in the case of a corporation sole, by the person constituting the corporation for the time being.

(4) Subject to the approval of the Director of Savings, and to such conditions as he may impose, deposits may be made by a responsible officer of any government department or office or of any public authority in his official capacity, and the account shall stand in the name of the official title of that officer with such additional description as the Director of Savings may require, and withdrawals from the account shall be made in accordance with the conditions imposed as aforesaid.

Sheriff Clerk in Scotland

13.—(1) Deposits may be made in Scotland by the Sheriff Clerk of a Sheriff Court under the authority of any statute or statutory instrument in that behalf.

(2) Application to open an account shall be made in the approved form, and shall be signed by the Sheriff Clerk in the presence of a witness.

(3) Any application to withdraw the deposits shall be signed by the Sheriff Clerk.

(4) Where deposits standing in the name of a Sheriff Clerk are transferred into the name of the Sheriff Clerk of any other Sheriff Court, the Sheriff Clerk into whose name the deposits are transferred shall make an application as provided in paragraph (2) above.

(5) In this Regulation references to the Sheriff Clerk include references to the Sheriff Clerk Depute.

County Courts in Northern Ireland

14.—(1) Deposits may be made in Northern Ireland in the joint names of a County Court Judge and a Clerk of the Crown and Peace.

(2) Application to open an account shall be made in the approved form, and shall be signed by the Clerk of the Crown and Peace.

(3) Any application to withdraw the deposits shall be signed by the Clerk of the Crown and Peace and (except where the withdrawal is authorised by the rules of the Court without the necessity for such an order) shall be accompanied by a certified copy of the order of the Court authorising the withdrawal.

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(4) Where any deposits made under this Regulation are transferred into the names of any other County Court Judge and Clerk of the Crown and Peace, that Clerk of the Crown and Peace shall make an application as provided in paragraph (2) above.

(5) In this Regulation references to a County Court Judge include references to a Recorder.

Public Trustee

15.—(1) Deposits may be made by the Public Trustee in respect of any estate which he is administering or for which he is acting as custodian trustee or as ordinary trustee, or on behalf of any person for whom he is acting as trustee.

(2) Application to open an account shall be made in the approved form, and shall be signed by the Public Trustee or by an officer of the Public Trustee authorised by him in writing to act on his behalf in opening accounts.

(3) The title of each account opened by the Public Trustee shall specify on behalf of what estate or person the account is opened, or shall contain such other description as the Director of Savings may require.

(4) Any application to withdraw the deposits, whether standing in the name of the Public Trustee alone or with some other person, shall be signed by the Public Trustee or by an officer of the Public Trustee duly authorised by him in writing to sign such application, and may be signed by the Public Trustee or such officer alone.

(5) Any authority given by the Public Trustee under this Regulation shall be lodged with the Director of Savings at least 48 hours before any application signed by virtue of the authority is presented.

Deposit book

16.—(1) Subject to the provisions of these Regulations, where an account is opened, a book (in these Regulations referred to as a “deposit book”) shall be issued to the depositor, and where the account is in the names of two or more persons, shall be delivered or sent to such one of them as the Director of Savings shall think fit.

(2) Except in such cases as the Director of Savings shall direct, every person who may properly sign an application to withdraw ordinary deposits shall sign his name in the space provided in the deposit book.

(3) No charge shall be made for a deposit book.

(4) Every deposit book shall be the property of the Director of Savings and shall be delivered up as and when required by him.

Transmission of deposit book to the Director of Savings

17. Every depositor shall, at such times as the Director of Savings may direct and whenever required by the Director of Savings, forward to the Director of Savings the deposit book relating to any account in his name.

Loss of or damage to deposit book

18.—(1) On the application of a depositor, the Director of Savings may, if he thinks fit, issue a new deposit book to replace a lost one.

(2) If in the opinion of the Director of Savings any deposit book has been tampered with or is in such a condition as to render the issue of a new book desirable, he may, if he thinks fit, require the surrender and cancellation of the book and issue a new book to the depositor.

(3) Notwithstanding anything in these Regulations, the Director of Savings may pay, any sum in respect of any amount in the National Savings Bank without the production of the deposit book, where he is satisfied that the depositor or other claimant is entitled to receive that sum.

Entry of deposits in deposit book

19. Except where the Director of Savings otherwise directs, every deposit made to the credit of a depositor's account shall be entered in the deposit book relating to that account by the person receiving it at the time when it is received, and the entry shall be attested by that person:

Provided that—

- (a) where the deposit book is not produced at the time when a deposit is made, the deposit shall be entered when the book is next received at the principal office of the National Savings Bank;
- (b) on the opening of an account, a receipt so attested may be issued for the first deposit by the person receiving it and the deposit entered in the deposit book by an officer of the Director of Savings when the book is issued to the depositor.

Minimum amount of ordinary deposits

20. An ordinary deposit of less than 25p may not be made at any savings bank office.

Procedure on withdrawals

21.—(1) Subject to the provisions of these Regulations, application for withdrawal of money deposited shall be made in writing in the approved form requesting that payment be made either by an uncrossed warrant payable in cash drawn in favour of the depositor or of the person entitled to make such application, or by a crossed warrant payable only through a bank drawn in favour of the depositor, or of such person as aforesaid, or of a third party named in the application:

Provided that the Director of Savings may in his discretion—

- (a) limit the number of crossed warrants which may be issued to or under the direction of the same depositor in any calendar year; or
 - (b) refuse to issue a crossed warrant where the sum to be withdrawn is less than a specified amount fixed for this purpose by the Director of Savings.
- (2) If the issue of a crossed warrant is requested, the application shall be accompanied by the deposit book.

(3) Where an application for the withdrawal of deposits is made by more than one person, the applicants may request that the sum to be withdrawn should be paid to any one or more of them to the exclusion of the others, and an application for the withdrawal of the deposits of a society or body corporate may contain a request that the sum to be withdrawn should be paid to any officer of the society or body corporate or, where the society is a branch, to any officer of the central body or of any other branch, although such officer is not one of the applicants.

(4) Subject to Regulations 22, 23 and 24 below, and except where the Director of Savings otherwise directs, every payment made by him shall be made by a warrant, and accordingly every application for withdrawal of deposits shall be treated as implying an authority to him to issue a warrant for the amount to be withdrawn and to pay it in accordance with the terms of the warrant, and the death of the person who made the application for withdrawal shall not of itself determine such authority; but if the Director of Savings receives notice that the applicant has died or has countermanded such authority, the Director of Savings shall not issue the warrant or, if it has already been issued, shall take all reasonable steps to stop payment thereof.

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(5) The provisions of section 76, sub-sections (1), (3), (4) and (5) and, so far as it relates to crossed cheques, sub-section (6) of section 77, and sections 78, 79, 80 and 81 of the Bills of Exchange Act 1882 (which relate to crossed cheques) and of sections 3 and 4 of the Cheques Act 1957 (which relate to unindorsed cheques as evidence of payment and to the protection of collecting bankers) shall apply to any crossed warrant issued under these Regulations as if the warrant were a cheque drawn on the Director of Savings by the officer issuing the warrant, but nothing in these Regulations shall make any such warrant negotiable.

(6) An uncrossed warrant shall not be paid until the receipt for the amount thereby payable has been duly signed by the payee or by some person authorised by the payee to receive payment:

Provided that, where such a warrant is paid to a person purporting to be the payee or to be a person authorised by the payee to receive payment, then, notwithstanding that the receipt on the warrant was signed by some person being neither the payee nor a person so authorised, the making of the payment shall be a full discharge to the Director of Savings for the amount thereof, if it is shown that the payment was made in good faith and without negligence, and that the making of the payment is attributable to some act or omission on the part of the depositor or on the part of the payee or the person so authorised.

(7) An uncrossed warrant shall be payable, on presentation with the relative deposit book, at the place named in the warrant or otherwise in accordance with the directions contained therein, and a crossed warrant shall be payable at the office in London of the Director of Savings or at such other place as he may direct.

(8) The amount of every withdrawal shall be entered in the deposit book by the person making the payment and the entry shall be attested by that person.

(9) The posting of a letter containing a warrant issued under these Regulations addressed to any person at the last address furnished by him to the Director of Savings shall, as regards the liability of the Director of Savings, be equivalent to the delivery of the warrant to the person to whom the letter was addressed.

(10) If the Director of Savings considers it expedient so to do, he may at his discretion vary the procedure on withdrawal and the method of payment authorised by these Regulations and dispense with all or any of the requirements therein contained, and may effect payment in such manner as he may think fit.

Payment of ordinary deposits on demand

22.—(1) Withdrawal of ordinary deposits to an amount not exceeding £20 may be made at any savings bank office without previous notice if, as regards any particular office, payment can be made at such office without inconvenience to the business of that office:

Provided that—

- (a) the depositor shall attend in person to make the application and shall produce the deposit book;
- (b) the depositor shall sign a receipt in the approved form and, if required by the paying officer, such signature shall be made in that officer's presence;
- (c) the deposit book may be retained by the paying officer for transmission to the Director of Savings, who shall return it in due course to the depositor except when the account is closed;
- (d) not more than one withdrawal may be made under this Regulation from any one account on any one day;
- (e) when savings bank business is being transacted in any of Her Majesty's ships or at any naval establishment, a depositor serving in the Royal Navy or in the Royal Marines, or an officer or member of a society (the members whereof are persons serving in the Royal

Navy or in the Royal Marines) who is recognised by the Director of Savings in that behalf may withdraw in any such ship or establishment a sum not exceeding £30 in pursuance of this Regulation, and paragraph (c) of this proviso shall not apply to such withdrawal.

(2) This Regulation shall not apply in the case of such accounts as the Director of Savings shall direct.

Withdrawals of ordinary deposits by telegraph

23.—(1) Application to withdraw ordinary deposits by telegraph may be made at savings bank offices.

(2) The application shall be made in the approved form, the deposit book shall be produced, and the applicant shall pay the cost of each telegram to and from the Director of Savings.

(3) Payment of the sum applied for shall not be made unless the authority of the Director of Savings has been received at the office of payment and the payee has signed a receipt in the approved form.

(4) No depositor shall be entitled to withdraw by telegraph from the same account on any one day sums which exceed the following amounts:—

- (a) £25 in all, if the depositor's application to the Director of Savings and the authority of the Director of Savings to make payment are telegraphed; or
- (b) £50 in all, if only the authority of the Director of Savings to make payment is telegraphed, application for the withdrawal having been sent to the Director of Savings otherwise than by telegraph.

(5) This Regulation shall not apply to moneys deposited pursuant to Regulation 13, 14 or 15 above.

Withdrawals of ordinary deposits by telegraph in respect of naval accounts

24.—(1) When savings bank business is being transacted in any of Her Majesty's ships or at any naval establishment, a depositor serving in the Royal Navy or in the Royal Marines may apply to withdraw ordinary deposits by telegraph (including the wireless telegraphy system of the Ministry of Defence) under and subject to Regulation 23 above:

Provided that—

- (a) the limit upon the withdrawal by a depositor in any one day shall not apply;
- (b) the application shall be made during such hours as shall be fixed by the Commanding Officer with respect to each ship or establishment;
- (c) the depositor shall pay in respect of the use of the wireless telegraphy system of that Ministry such sums as shall be fixed by that Ministry from time to time.

(2) On the application of a depositor serving as aforesaid, the telegram applying for withdrawal may contain a request to the Director of Savings that payment should be made of the required sum to a third party named in the telegram; and in that event, payment shall be made by crossed warrant drawn in favour of the third party.

Withdrawals by minors over seven years of age

25. An application for the withdrawal of money deposited by or in the name of a minor may be made by him if he has attained the age of seven years.

Withdrawals in case of bankrupts

26. Where it is shown to the satisfaction of the Director of Savings that a receiving order has been made against any person who is a sole depositor, or that a trustee has been appointed in the bankruptcy of any such person, or that an order for the administration in bankruptcy of the estate of a deceased sole depositor has been made, the Director of Savings may, if he thinks fit, on an application made in that behalf by the Official Receiver or trustee, pay the deposits standing in the name of the depositor, or any part thereof, to the Official Receiver or trustee.

Authority for payment to third party

27.—(1) An uncrossed warrant shall be presented for payment by the person named therein or by a person duly authorised by him to receive payment.

(2) The authority for a person other than the person named in a warrant to receive the amount payable on the warrant shall be either a power of attorney duly executed in the presence of a witness, or an authority in the approved form or letter signed in the presence of a person authorised by the Director of Savings in that behalf:

Provided that the Director of Savings may in his discretion, in any case in which he thinks fit, dispense with the attestation of the signature to any such authority or letter.

(3) An authority or letter may be signed by a minor if he has attained the age of seven years, and shall be as valid and binding upon him as if he had been of full age.

(4) Where a power of attorney, authority or letter authorises payment to be made to a firm, or to a body corporate or corporation sole, any person purporting to be a member of the firm or body corporate, or to be an officer thereof or of the corporation sole, and accredited to the satisfaction of the Director of Savings, may present and receive payment under the warrant.

(5) This Regulation shall not apply to moneys deposited pursuant to Regulation 13, 14 or 15 above.

INVESTMENT DEPOSITS

Conditions on which investment deposits may be made

28.—(1) Where investment deposits are to be made by or on behalf of a depositor, a separate account shall be opened and a separate deposit book issued in respect of those deposits.

(2) Subject to the provisions of this Regulation and of Regulation 29 below, a depositor may apply to transfer deposits standing in his name, being ordinary deposits, to an investment deposit account in his own name or to be opened in his own name, or, being investment deposits, to an ordinary deposit account in his own name, and the provisions of Regulation 30 below shall apply in relation to such an application.

(3) An investment deposit may not be made (whether directly or by way of transfer) unless the person who will be the depositor in whose name the deposit will stand is also a depositor in respect of ordinary deposits and the amount due to him in respect of those ordinary deposits (excluding, in the case of an investment deposit to be made by transfer from an ordinary deposit account in the name of the proposed transferee, the amount to be so transferred) is not less than £50.

(4) For the purposes of this Regulation, a person who is a trustee shall be treated separately in his personal capacity and in his capacity as trustee, and in the latter capacity separately in respect of each separate trust fund, and one trust fund shall be treated as separate from another trust fund if (and only if) the trusts on which the first mentioned fund is held differ in any respect from those on which the other fund is held, whether as respects the beneficiaries, or their respective interests, or the purposes of the trust, or the powers of the trustee.

(5) An investment deposit of less than £1 may not be made.

Withdrawal or transfer of investment deposits

29.—(1) Except where the Director of Savings otherwise directs, money deposited by way of investment deposit (or any interest thereon) may not be withdrawn or transferred (except to an investment deposit account) unless one month's prior notice of withdrawal or transfer thereof has been given to the Director of Savings in accordance with this Regulation.

(2) Every such notice of withdrawal shall be given by sending or delivering to the Director of Savings at the principal office of the National Savings Bank an application for withdrawal in the approved form signed by the depositor or other person entitled to sign the application and requesting that payment be made by a warrant payable on the expiration of one month beginning with the day on which the application is received at the principal office.

(3) The provisions of Regulation 21 above shall apply in relation to such an application for withdrawal and a warrant issued pursuant thereto, subject to the following modifications:—

- (a) except where the Director of Savings otherwise directs, every such application shall be accompanied by the relevant deposit book;
- (b) where the withdrawal closes the account, it shall be unnecessary to produce the deposit book on presentation of an uncrossed warrant for payment in accordance with Regulation 21(7) above.

(4) Every notice of transfer of investment deposits shall be given by sending or delivering to the Director of Savings at the principal office of the National Savings Bank an application for transfer in the approved form requesting that the transfer be made on the expiration of one month beginning with the day on which the application is received at the principal office, and the application shall be accompanied by the relevant deposit book.

TRANSFER OF DEPOSITS AND ADDITION OF NAMES

Transfer of deposits

30.—(1) Subject to the provisions of these Regulations, a depositor may apply to transfer deposits standing in his name into the name of any other depositor or into an account to be opened in the name of any person entitled to make deposits in the National Savings Bank; except where the Director of Savings otherwise directs, an application for transfer shall be in the approved form and shall be accompanied by the deposit book relating to the deposits.

(2) On being satisfied as to the title of the applicant to transfer the deposits, the Director of Savings may effect the desired transfer, and the death of the applicant shall not of itself determine the authority given by the applicant for the transfer to be made; but if the Director of Savings receives notice before the transfer is effected that the applicant has died, the transfer shall not be made.

(3) This Regulation shall, so far as applicable, apply to the transfer of sums from the account of a deceased depositor, and, in particular, the legal personal representative of the depositor, or any person to whom any sum due to the depositor at the time of his death may be paid in accordance with the provisions of these Regulations, may, subject to the provisions of these Regulations, instead of withdrawing any such sum, apply for the transfer thereof into his own name or the name of another person.

Transfer to and from overseas savings banks

31.—(1) Any application to transfer any sum from the account of a depositor in the National Savings Bank to a government savings bank outside the United Kingdom (being a bank with which the Director of Savings has entered into an arrangement for such transfers) shall be made in the approved form, and shall be accompanied by the deposit book.

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(2) Where an application is made to the Director of Savings for the transfer to the National Savings Bank of a sum standing to the credit of a depositor in a government savings bank outside the United Kingdom (being a bank with which the Director of Savings has entered into an arrangement for such transfers), and a certificate from the government savings bank certifying that there is a sum due to the depositor in respect of money deposited by him in the said bank is produced, the amount mentioned in the certificate shall be treated as a deposit made in the name of the applicant, and the applicant shall, if required, make a declaration in the approved form.

Addition of names to an account

32.—(1) Upon the application of a depositor, the Director of Savings may add the names of other persons in the title of the depositor's account.

(2) Every person whose name is added in the title of an account shall make and sign the declaration required upon the making of a first deposit and, if required, furnish an additional specimen of his signature.

NOMINATIONS

Power to make nominations

33.—(1) Subject to the provisions of these Regulations, a depositor, being a person who has attained the age of sixteen years, may nominate any person to receive any sum due to the depositor at his death in respect of his deposits.

(2) Every nomination shall be made in writing in a form approved by the Director of Savings, and shall be signed by the nominator in the presence of a witness, and the signature of the nominator shall be attested by the witness.

(3) A nomination shall be of no effect unless it is sent to the Director of Savings during the lifetime of the nominator.

(4) The Director of Savings may in his discretion refuse to accept any nomination received by him, and, upon a notification of the refusal of the Director of Savings to accept a nomination being sent to the nominator, the nomination shall be of no effect.

(5) Every nomination accepted by the Director of Savings shall be registered by him and returned to the nominator.

(6) A nomination may be in favour of one person or of several persons (who shall be clearly designated in the nomination), and, where there is more than one nominee, may direct that specific sums shall be paid to one or more of the nominees or that the nominees shall take the money nominated in specified shares, or may give directions to both effects.

(7) A person who attests the signature of a nominator to a nomination shall not take any benefit thereunder.

Effect of transfer on nomination

34. In the event of the transfer of any deposits from the National Savings Bank to a trustee savings bank or from a trustee savings bank to the National Savings Bank, any nomination in force in respect of the deposits in the bank from which the transfer is made shall cease to apply to the deposits so transferred.

Revocation of nomination

35.—(1) A nomination shall be revoked—

- (a) by the death of the nominee, or, where there is more than one nominee, of all the nominees, in the lifetime of the nominator;
- (b) so far as relates to the interest thereunder of any nominee (being one of two or more nominees), by the death of that nominee in the lifetime of the nominator, unless the interest of that nominee is disposed of by the nomination;
- (c) by the marriage of the nominator;
- (d) by written notice of revocation given in accordance with this Regulation;
- (e) by a subsequent nomination duly made in accordance with these Regulations by the same nominator disposing of either the whole or any part of the moneys disposed of by the earlier nomination, but so far only as respects those moneys or that part of those moneys, as the case may be;

but a nomination shall not be revoked by any will or by any other act, event or means whatsoever.

(2) A notice of revocation for the purposes of these Regulations shall be signed by the nominator in the presence of a witness, who shall attest the signature of the nominator, and the notice shall be of no effect unless it is sent to the Director of Savings during the lifetime of the nominator.

(3) Notwithstanding that a nomination has been revoked by the marriage of the nominator, any payment which, before the marriage comes to the knowledge of the Director of Savings, is made by him, being a payment which would have been a lawful payment if the nomination had not been so revoked, shall, subject to the provisions of these Regulations for saving the rights of third parties, be as valid as if the nomination had not been so revoked.

Particulars to be furnished by nominator to Director of Savings

36.—(1) A nominator shall, on making a nomination, furnish to the Director of Savings such particulars of any National Savings Bank account and savings bank annuity or insurance to which the nomination applies as the Director of Savings may require.

(2) A nominator shall, if and whenever a change occurs in relation to any savings bank account or annuity or insurance to which the nomination applies, forthwith make such corrections in and additions to the particulars furnished as may be necessary, and shall forthwith forward to the Director of Saving the amended particulars.

(3) Where, by reason of the failure of a nominator to comply with the foregoing requirements of this Regulation, any money payable in respect of any deposits, annuity, or insurance of the nominator at the date of his death is paid to a person other than the nominee or a person claiming through him, that payment shall, subject to the provisions of these Regulations for saving the rights of third parties, be as valid as if the nomination had not been made.

Payment under nomination

37.—(1) On the death of a nominator, the Director of Savings shall pay to the nominee the amount due to him according to the directions of the nomination:

Provided that—

- (a) if, on the death of a nominator, any nominee is under the age of sixteen years, the Director of Savings shall not make any payment to that nominee or transfer the sum nominated to him until he attains that age, but may, if it is shown to the satisfaction of the Director of Savings that it is expedient that the sum due to the nominee or any part thereof should be paid and applied for the maintenance or otherwise for the benefit of the nominee, pay the said sum or that part thereof to any person who satisfies the Director of Savings that he will apply it for such purposes as aforesaid;

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- (b) if the nominee is a mentally disordered person and there is no receiver, the Director of Savings may pay the sum nominated or any part thereof to any person undertaking to maintain such nominee;
- (c) where it appears to the Director of Savings that the estate of the nominator, apart from the sum nominated, is insufficient to meet the funeral expenses or satisfy any claims of creditors of the nominator of which the Director of Savings has notice (including, in a case where the nominator was domiciled in Scotland, claims under the Succession (Scotland) Act 1964 and in respect of *jus relictii*, *jus relictiae* or *legitim*), he may, if he thinks fit, apply the amount nominated or any part thereof in or towards payment of such funeral expenses, or in or towards satisfaction of the claim of any person in respect of such funeral expenses paid by that person or of the claims of any such creditors.

(2) Where a nominee dies after the death of the nominator but before any sum has been paid to him as nominee, the provisions of these Regulations shall apply to the nominee and the sum payable to him, as if at the date of his death the deceased nominee were a depositor in the National Savings Bank and the said sum were deposited in his name in a National Savings Bank account.

(3) Notwithstanding any rule of law to the contrary, any nominee to whom a payment may be made under this Regulation may sign a receipt therefore if he has attained the age of sixteen years, and the receipt shall be a valid receipt without the signature of any other person.

Special provisions relating to existing nominations

38.—(1) Any nomination made before 1st October 1921 shall continue to be governed by Regulations 66 to 79 of the Post Office Savings Bank Regulations 1910, but Regulations 34, 35(1) (e) and 37(2) of these Regulations shall apply to any such nomination.

(2) A nomination made before the coming into operation of these Regulations shall, subject to the provisions of these Regulations, be deemed to extend to all sums to which a nominator is entitled at the time of his death in respect of a savings bank annuity or insurance as well as to sums due to him in respect of his deposits, unless the nominator has in the nomination expressly excluded any such sums from the operation of the nomination.

DEATH OF DEPOSITOR

Law applicable on death of depositor

39. Where, in the event of the death of a depositor, any payment under these Regulations is made in accordance with the law of the place in which the depositor resided at the date of his death, that payment shall, unless notice in writing to the effect that the depositor was at that date domiciled elsewhere was received by the Director of Savings before the payment was made, be deemed for the purposes of these Regulations to have been duly made.

Payment without a grant of representation

40.—(1) Where the total amount due to a depositor at the time of his death does not exceed £500, and probate of his will or letters of administration to his estate is not or are not produced to the Director of Savings within such time as he thinks reasonable in the circumstances of the case, the Director of Savings, if he thinks fit, may, without requiring probate or letters of administration, pay the amount so due or any part of that amount—

- (a) to a person appearing to the Director of Savings to be entitled to take out probate of the will of the deceased or letters of administration to his estate;
- (b) where the deceased has left a will (being a will with respect to which the Director of Savings is satisfied that probate or letters of administration with the will annexed would be granted), to any person to whom the amount so due or any part thereof would, in the

opinion of the Director of Savings, be payable under such will, if probate thereof or letters of administration with the will annexed were granted;

- (c) to any person who satisfies the Director of Savings that he is entitled to receive the amount due or any part thereof in right of his being—
 - (i) a person who has paid the funeral expenses of the deceased; or
 - (ii) a creditor of the deceased; or
 - (iii) a person who has a beneficial interest in the estate of the deceased;
- (d) if the deceased was a British subject and his next of kin appears to the Director of Savings to reside outside the United Kingdom, the Isle of Man and the Channel Islands, to any officer or authority who, in the opinion of the Director of Savings, may properly be entrusted with the duty of distributing the amount due;
- (e) if the deceased was a seaman of a foreign country, being a country with which a treaty has been made in respect of the payment of moneys due to seamen, to the consular authority of that country;
- (f) if the deceased was a foreign subject, not being a seaman to whom the provisions of sub-paragraph (e) above apply, to the consular authority of the country to which the deceased belonged, or to such other authority as appears to the Director of Savings to be appropriate, subject in either case to the Director of Savings being satisfied that the deposits will be duly distributed;
- (g) in a case where the estate of the deceased appears to the Director of Savings to have devolved upon the Crown, the Duchy of Lancaster or the Duchy of Cornwall, to the Treasury Solicitor, the Solicitor for the affairs of the Duchy of Lancaster, or the Solicitor for the affairs of the Duchy of Cornwall, as the case requires:

Provided that where a person to whom any sum may be paid under sub-paragraph (b) or (c) above has died before payment has been made to him, that sum or any part thereof may be paid to any person to whom it might have been paid if the first mentioned person had, immediately before his death, been the depositor.

(2) Notwithstanding any rule of law to the contrary, any person to whom a payment may be made under paragraph (1)(b) or (c) above or under the proviso to paragraph (1) above may sign a receipt therefor if he has attained the age of sixteen years, and the receipt shall be a valid receipt without the signature of any other person, and where any person to whom a payment may be so made is unable by reason of his age or for any other reason whatsoever to give a discharge therefor under these Regulations the Director of Savings may make the payment to any person who satisfies him that he will apply it for the maintenance or otherwise for the benefit of the first mentioned person.

(3) Subject to paragraph (2) above, the Director of Savings, in making any payment under paragraph (1)(b) or (1)(c)(iii) above or under the proviso to paragraph (1) above, shall, unless he is of opinion that hardship or inconvenience would be thereby caused, have regard to the rules of law relating to the distribution of the estates of deceased persons, but if he is of that opinion, may depart from those rules in such manner and to such extent as he considers just.

(4) In this Regulation the expression “will” includes a codicil.

(5) Nothing in this Regulation shall affect the operation of any nomination duly made under these Regulations.

Death duties

41.—(1) Where on the death of a depositor the aggregate value of the specified assets (hereinafter defined) exceeds £3,000, the Director of Savings shall, before making any payment or transfer of any of the deposits in the National Savings Bank standing to the credit of such depositor either alone or jointly with any other depositor (not being deposits in respect of which it is shown to the satisfaction

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of the Director of Savings that the deceased depositor had no interest therein otherwise than as a trustee), require the production of a statement from the Commissioners of Inland Revenue to the effect either that no death duties are payable in respect of the deposits or that any death duties so payable have been paid:

Provided that the production of such a statement shall not be required—

- (a) where the payment or transfer is made to or as directed by the deceased depositor's legal personal representative, or the Public Trustee, or the Official Receiver, or the trustee in bankruptcy of the estate of the deceased depositor; or
- (b) where the deceased depositor was at the time of his death domiciled in Northern Ireland, the Isle of Man, or the Channel Islands.

(2) In this Regulation the expression “the specified assets” means the following assets (not being assets in respect of which it is shown to the satisfaction of the Director of Savings that the deceased depositor had no interest therein otherwise than as a trustee):—

- (a) the total amount (including interest) which, at the date of the death of the depositor, stands to the credit of all accounts in his name alone, or in his name jointly with any other person, in the National Savings Bank;
- (b) the total amount which would have been payable (if repayment had been demanded) at the date of the death of the depositor in respect of all savings certificates recorded in his name alone, or in his name jointly with any other person;
- (c) all stock and securities registered in the National Savings Stock Register in the sole name of the depositor, or in his name and the name of any other person as joint holders (not being stock or securities recorded in the parts of the National Savings Stock Register kept by trustee savings banks);
- (d) any amount repayable and any other sum payable in respect of all premium savings bonds recorded in the depositor's name;
- (e) the total amount (including any bonus or interest) which would have been repayable (if repayment had been demanded) at the date of the death of the depositor in respect of all savings contracts entered into by him and registered by the Director of Savings under a contractual savings scheme certified by the Treasury in accordance with section 415(2) of the Income and Corporation Taxes Act 1970.

(3) For the purposes of this Regulation, the value of the stock and securities referred to in paragraph (2)(c) above shall be—

- (a) in the case of National Development Bonds, British Savings Bonds and any other securities which can be held only on the National Savings Stock Register, the nominal capital amount thereof; and
- (b) in all other cases, the market value thereof at the date of the death of the depositor.

MISCELLANEOUS

Interest on investment deposits

42.—(1) Interest on an investment deposit shall not commence until the first day of the month next following the day of deposit, and shall cease on the first day of the month in which it is withdrawn.

(2) Interest on investment deposits shall be calculated to 31st December in every year and shall be added to and become part of the principal; but interest shall not be calculated on any amount less than £1 or some multiple of £1.

(3) For the purpose of this Regulation, money deposited by way of investment deposit and withdrawn under and in accordance with these Regulations shall be deemed to have been withdrawn on the earliest day on which the relevant payment warrant was payable.

Interest on ordinary deposits

43. For the purpose of section 5 of the National Savings Bank Act 1971 (which relates to the calculation of interest on ordinary deposits), money deposited by way of ordinary deposit and withdrawn under and in accordance with these Regulations shall, where payment is made by warrant, be deemed to have been withdrawn on the date of the issue of the warrant.

Coupon deposit books

44. Where a coupon deposit book containing coupon receipts has, before the coming into operation of these Regulations, been issued to a depositor, application may be made at a savings bank office for the deposits represented by the coupon receipts to be repaid or credited to a savings bank account.

Persons under disability

45. If any depositor is a mentally disordered person or is under legal disability for any other reason except his age alone, anything which under these Regulations is required or authorised to be done by or to the depositor shall or may be done by or to the receiver or other person having power in law to administer his estate.

Persons unable to write

46.—(1) Where any document (including the declaration on opening an account, an application for withdrawal and any authority to receive the amount payable on a warrant) is required by the Director of Savings or by these Regulations to be signed by any person and that person is unable to write, it shall be sufficient for the purposes of these Regulations if the document is marked by that person in the presence of a witness in such manner as the Director of Savings may require.

(2) Where an uncrossed warrant is made payable to a person who is unable to write, he shall, when he presents the warrant for payment, affix his mark to the receipt on the warrant in the presence of a person who is known to the paying officer, and who can identify the person applying for the money as the person named in the warrant.

Rectification of mistakes

47. Where a first or any other deposit is made or received in error, the Director of Savings may return the same and cancel all proceedings taken in respect thereof, or may take such other steps as may be necessary to give effect to the intention of the parties.

Notice of trust not receivable by Director of Savings

48.—(1) Subject to the provisions of these Regulations, no notice of any trust, express, implied, or constructive, shall be receivable by the Director of Savings in respect of any deposit.

(2) The Director of Savings shall not by reason of any description of a depositor as a trustee (whether or not a trust is specified) pursuant to Regulation 5(2) above, or by reason of anything contained in any declaration or any document whatsoever relating to an account, be affected with notice of any trust express, implied or constructive.

Powers of attorney

49.—(1) Where, in pursuance of a power of attorney, the donee of the power makes, or joins in making, an application for the transfer or withdrawal of any deposits standing in the name of the donor of the power, or in the donor's name jointly with that of any other person, the Director of Savings may act on the power of attorney and give effect to the application notwithstanding that it appears from the power of attorney or from any evidence required for the purposes of the power of attorney or from the description of the donor as a trustee pursuant to Regulation 5(2) above or otherwise that the deposits are held on a trust; and in making any transfer or payment in pursuance of any such application the Director of Savings shall not be affected with any notice of the trust.

(2) The fact that in making application for the transfer or withdrawal of any deposits the donee of a power of attorney purports to be acting in the exercise of the power shall, in favour of the Director of Savings, be conclusive evidence that the dealing is authorised by the power, unless the Director of Savings has at the time of the dealing notice that it is not so authorised.

Exemption from stamp duty

50. No warrant or other order for the payment of money deposited in the National Savings Bank, and no power of attorney or other document relating solely to the payment or receipt of such money, is liable to or charged with any stamp duty.

Indemnity of the Director of Savings and his officers

51.—(1) The Director of Savings and any person acting under his authority shall not be liable in respect of any payment duly made or act duly done in accordance with the National Savings Bank Act 1971 and the Regulations for the time being made thereunder; and any such payment shall, subject to the provisions of these Regulations for saving the rights of third parties, be deemed to be a valid payment.

(2) Without prejudice to the generality of the preceding paragraph, the Director of Savings shall in no case be responsible for the misapplication of any sum payable on a warrant by any friendly society, charitable society or other society (including any unincorporated body of persons), body corporate, or corporation sole, or by any trustee, director, officer or representative of such a society, body or corporation, or of any government department or public authority, or by the persons mentioned in Regulations 13, 14 and 15 above, or anyone authorised by such persons respectively to receive payment of the sum payable on a warrant.

(3) Where a warrant for any payment in respect of deposits is issued payable to some person who is neither the depositor nor a person otherwise entitled under these Regulations to receive the payment, then, if it is shown that—

- (a) the warrant was issued in good faith and without negligence; and
- (b) the issue of the warrant to that person is attributable to some act or omission on the part of the depositor or a person so entitled,

the warrant shall, subject to the provisions of these Regulations for saving the rights of third parties, be deemed to have been duly issued to a person so entitled.

Saving of rights of third parties

52. Nothing in these Regulations, or in any Regulations revoked by these Regulations, for the protection of the Director of Savings or the Postmaster General in respect of any payment made or act done shall operate to prevent the recovery by any person or his representatives of any money lawfully due to him from the person to whom that money was paid by or under the direction of the Director of Savings or the Postmaster General or from the representatives of that person, or affect the right which any person or his representatives may have in respect of any deposits against a third party.

Evidence of identity, etc

53.—(1) The Director of Savings shall be entitled to require evidence to be given to his satisfaction of the identity of any person, of the title of any person to any deposits, or of the authority of any person to withdraw or transfer any deposits, or to require evidence that anything purporting to be done in pursuance of these Regulations has been duly done, or otherwise with respect to any matters on which the due exercise of his powers or performance of his duties under these Regulations depends, and the Director of Savings may for the purpose of obtaining any such evidence require a statutory declaration to be made by any person.

(2) The Director of Savings may accept as conclusive proof of the death of a depositor any evidence which establishes to his satisfaction the fact that the depositor has not been heard of for a period of seven years or more, and, for the purposes of this paragraph, the expression “depositor” includes any person beneficially interested at any time, whether absolutely or contingently, in the personal estate of a deceased depositor.

Receipts to be a good discharge

54. The receipt of any person for any money paid to him in accordance with an application, authority or nomination made or given in accordance with these Regulations or otherwise as provided thereby shall be a good discharge to the Director of Savings for any money so paid.

Application to Scotland

55. In the application of these Regulations to Scotland—

- (a) any reference to a mentally disordered person shall be construed as a reference to a person who is incapable by reason of mental disorder within the meaning of the Mental Health (Scotland) Act 1960 of managing and administering his property and affairs;
- (b) any reference to a receiver in relation to a mentally disordered person shall be construed as a reference to a curator bonis, guardian or tutor;
- (c) any reference to a receiving order shall be construed as a reference to an award of sequestration;
- (d) any reference to a trustee in bankruptcy shall be construed as a reference to a judicial factor or trustee appointed under the Bankruptcy (Scotland) Act 1913;
- (e) any reference to probate, letters of administration or letters of administration with the will annexed shall be construed as a reference to confirmation of an executor;
- (f) any reference to the Treasury Solicitor shall be construed as a reference to the Queen's and Lord Treasurer's Remembrancer.

Application to Northern Ireland

56.—(1) These Regulations shall extend to Northern Ireland.

(2) In the application of these Regulations to Northern Ireland—

- (a) any reference to a mentally disordered person shall be construed as a reference to a person who, by reason of unsoundness of mind, or of mental disorder within the meaning of the Mental Health Act (Northern Ireland) 1961, is or is considered incapable of managing his affairs;
- (b) any reference to a receiver in relation to a mentally disordered person shall be construed as a reference to a committee or any other person appointed pursuant to the Lunacy Regulation (Ireland) Act 1871 (as amended), and the orders made thereunder, to exercise with respect to the estate of such person powers similar to those of a committee;

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- (c) any reference to a receiving order shall be construed as a reference to an order of adjudication of bankruptcy, or to an order in any arrangement operating by virtue of section 349 of the Irish Bankrupt and Insolvent Act 1857 to vest a deposit in the Official Assignee alone or jointly with any person;
- (d) any reference to the Official Receiver shall be construed as a reference to the Official Assignee in Bankruptcy;
- (e) any reference to the Building Societies Act 1962 shall be construed as a reference to the Building Societies Act (Northern Ireland) 1967
- (f) any reference to the Industrial and Provident Societies Act 1965 shall be construed as a reference to the Industrial and Provident Societies Act (Northern Ireland) 1969;
- (g) any reference to a government department or office shall be construed as including a reference to a department or office of the Government of Northern Ireland;
- (h) any reference to the Treasury Solicitor shall be construed as a reference to the Chief Crown Solicitor for Northern Ireland.

Application to the Isle of Man

- 57.**—(1) These Regulations shall extend to the Isle of Man.
- (2) In the application of these Regulations to the Isle of Man—
- (a) any reference to a receiver in relation to a mentally disordered person shall be construed as a reference to the committee of the estate of a person found of unsound mind according to the law of the Isle of Man or to a receiver appointed under section 3 of the Mental Diseases Act 1954 of the Isle of Man, as the case may be;
 - (b) any reference to the Building Societies Act 1962 shall be construed as a reference to the Industrial and Building Societies Acts 1892 to 1963 of the Isle of Man;
 - (c) any reference to the Treasury Solicitor shall be construed as a reference to the Attorney General of the Isle of Man.

Application to the Channel Islands

- 58.**—(1) These Regulations shall extend to the Channel Islands.
- (2) In the application of these Regulations to Jersey—
- (a) any reference to a mentally disordered person shall be construed as a reference to a person suffering from mental disorder within the meaning of the Mental Health (Jersey) Law 1969;
 - (b) any reference to a receiver in relation to a mentally disordered person shall be construed as a reference to a curator;
 - (c) the references in Regulation 21(5) above to sections 3 and 4 of the Cheques Act 1957 shall respectively be construed as references to articles 3 and 4 of the Cheques (Jersey) Law 1957;
 - (d) any reference to a receiving order shall be construed as a reference to a declaration of “désastre”;
 - (e) any reference to the Official Receiver shall be construed as a reference to Her Majesty's Viscount for Jersey or to an “attourné” appointed in a bankruptcy, as the case may be;
 - (f) any reference to the Treasury Solicitor shall be construed as a reference to Her Majesty's Receiver General for Jersey;

- (g) a nomination made by a depositor domiciled in Jersey of any person to receive any sum due to the depositor at his death shall take effect only as to that portion of his personal estate over which he has power of testamentary disposition according to the law of Jersey, but any payment made to the nominee without notice of the depositor's incapacity to dispose of the whole or any portion of the estate nominated shall be a valid payment.
- (3) In the application of these Regulations to Guernsey, Alderney and Sark—
- (a) any reference to a mentally disordered person shall be construed as a reference to a person who under any law for the time being in force in any of the Islands of the Bailiwick of Guernsey is a person of unsound mind;
 - (b) any reference to a receiver in relation to a mentally disordered person shall be construed as a reference to a guardian appointed by the Royal Court of Guernsey, the Court of Alderney or the Court of the Seneschal of Sark, as the case may be;
 - (c) any reference to the Treasury Solicitor shall be construed as a reference to Her Majesty's Receiver-General;
 - (d) any reference to a statutory declaration shall be construed, in relation to Guernsey, as a reference to a declaration on oath before the Bailiff, a jurat, the Magistrate or a Notary Public, in relation to Alderney, as a reference to a declaration on oath before the Court of Alderney, and, in relation to Sark, as a reference to a declaration before the Seneschal;
 - (e) the references in Regulation 21(5) above to section 76, subsections (1), (3), (4) and (5) and, so far as it relates to crossed cheques, subsection (6) of section 77, and sections 78, 79, 80 and 81 of the Bills of Exchange Act 1882 shall be respectively construed as references to section 75, subsections (1), (3), (4) and (5) and, so far as it relates to crossed cheques, subsection (6) of section 76, and sections 77, 78, 79 and 80 of the Bills of Exchange (Guernsey) Law 1958, and the references in the said Regulation 21(5) to sections 3 and 4 of the Cheques Act 1957 shall be respectively construed as references to sections 83 and 84 of the Bills of Exchange (Guernsey) Law 1958;
 - (f) for Regulation 26 above there shall be substituted the following Regulation:—
 - “**26.** Where it is shown to the satisfaction of the Director of Savings that any person who is a sole depositor is insolvent, the Director of Savings may, if he thinks fit, pay the deposits standing in the name of the depositor, or any part thereof, to any person who makes application in that behalf and who satisfies him that he is a proper person to receive payment.”;
 - (g) a nomination by a depositor domiciled in the Bailiwick of Guernsey of any person to receive any sum due to the depositor at his death shall take effect only as to that portion of his personal estate over which he has power of testamentary disposition according to the law of the said Bailiwick, but any payment made to the nominee without notice of the depositor's incapacity to dispose of the whole or any portion of the estate nominated shall be a valid payment.

Revocation and savings

- 59.**—(1) The Regulations specified in the Schedule to these Regulations are hereby revoked.
- (2) In so far as any application, declaration, payment, transfer or nomination made, approval, authority, direction, notice or receipt given, warrant or document issued, or other thing done, under any Regulations revoked by these Regulations could have been made, given, issued or done under a corresponding provision of these Regulations, it shall not be invalidated by the revocation, but shall have effect as if made, given, issued or done under that corresponding provision.
- (3) These Regulations shall not affect the validity of anything done by or in relation to the Postmaster General before 1st October 1969 under the provisions of any Regulations revoked

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by these Regulations; and anything which at that date was in process of being done under those provisions by or in relation to the Postmaster General may be continued by or in relation to the Director of Savings.

(4) The mention of particular matters in this Regulation shall be without prejudice to the general application of section 38 of the Interpretation Act 1889 as it applies for the interpretation of these Regulations.

17th May 1972

Tim Fortescue
P.L. Hawkins
Two of the Lords Commissioners of Her
Majesty's Treasury