
STATUTORY INSTRUMENTS

1984 No. 779

The Savings Certificates (Yearly Plan) Regulations 1984

MISCELLANEOUS

Application to the Channel Islands

36.—(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 7(2) of these Regulations to sections 3 and 4 of the Cheques Act 1957 shall be respectively construed as references to article 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 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 the person to whom the terms of an agreement apply or who is the holder of a certificate and who is domiciled in Jersey of any person in respect of any sum due under an agreement or in respect of any certificate held by him 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 repayment made to that nominee without notice of the incapacity of the person who has made the nomination 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 7(2) of these Regulations 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 reference 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 7(2) to sections 3 and 4 of the Cheques Act 1957 shall be respectively construed as reference to sections 83 and 84 of the Bills of Exchange (Guernsey) Law 1958;
- (f) for Regulation 11 of these Regulations there shall be substituted the following Regulation:
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“**11.** Where it is shown to the satisfaction of the Director of Savings that any person who is the person to whom the terms of an agreement apply or who is the holder of a certificate is insolvent, the Director of Savings may, if he thinks fit, pay the amount repayable under the agreement or in respect of the certificate to any person who makes application in that behalf and who satisfies him that he is a proper person to receive payment.”;

- (g) in Regulation 23(1)(d) of these Regulations the words “or the trustee in bankruptcy or assignee of such a person who is bankrupt or insolvent” shall be deleted;
- (h) a nomination made by a person to whom the terms of an agreement apply or who holds a certificate and who is domiciled in the Bailiwick of Guernsey of any person in respect of any sum due under the agreement or in respect of any certificate as the case may be held by him 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 incapacity of the person who made the nomination to dispose of the whole or any portion of the estate nominated shall be a valid payment.