STATUTORY INSTRUMENTS

1966 No. 727

SAVINGS BANKS

The Post Office Savings Bank Regulations 1966

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SCHEDULE

Regulations revoked.

I, The Right Honourable Anthony Neil Wedgwood Benn, M.P., Her Majesty's Postmaster General, with the consent of the Treasury, do, by virtue of the powers conferred on me by sections 2, 7(1) and 13 of the Post Office Savings Bank Act 1954(a) (as extended by sections 6 and 7(1) of the Post Office Savings Bank Act 1966(b)), section 7(2) of the said Act of 1954 (as amended by section 1 of the Administration of Estates (Small Payments) Act 1965(c)), and section 2 of the said Act of 1966, and of all other powers enabling me in this behalf, hereby make the following regulations:—

PART I

Deposit and Withdrawal

Transaction of savings bank business

1.—(1) Savings bank business shall be transacted at such post offices on such days and during such hours as the Postmaster General shall direct.

(2) The Postmaster General may authorise any person to transact savings bank business otherwise than at a post office.

(3) The Supply Officer of any of Her Majesty's ships or naval establishments may be so authorised to transact savings bank business with depositors serving in the Royal Navy or in the Royal Marines, and such business shall be transacted on such days and during such hours as shall be directed by the commanding officer of the ship or establishment.

Declaration by depositor

2.—(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 prescribed form as to the facts so specified and such other matters as may be prescribed, and, if required, furnish the Postmaster General with an additional specimen of his signature.

(a) 1954 c. 62. (b) 1966 c. 12. (c) 1965 c. 32.

(2) Except where the depositor is to be or is described in the account as a trustee pursuant to regulation 3(2) or regulation 7, the declaration shall set forth the particulars of every other account the depositor already has in the Post Office 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 3(2) or accounts to which regulation 7 applies.

(3) Where the account is opened or held by a trustee otherwise than under regulation 7, the declaration shall set forth the particulars of every other account in the Post Office 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 7(2), the declaration shall set forth the particulars of every other account in the Post Office Savings Bank standing in his name (including every joint account under regulation 7 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 Postmaster General shall direct that the making of the declaration is unnecessary.

Depositors generally

3.—(1) Deposits may be made by and in the name of any person of the age of seven years or more 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 7, he may be described in the account as a trustee of a specified trust or as a trustee without specifying a trust.

Infants under seven years of age

4.—(1) Deposits may be made on behalf and in the name of an infant under seven years of age.

(2) The prescribed declaration shall be made by the person opening the account, who shall state in the declaration such facts relating to the infant as are required to be specified in relation to a depositor by regulation 2(1) and (2). After attaining the age of seven years, the infant himself, whenever required to do so, shall specify such facts and make and sign a declaration in the prescribed form and, if required, furnish the Postmaster General with an additional specimen of his signature.

(3) Where it is proved to the satisfaction of the Postmaster General that any deposits in the name of an infant under seven years of age are urgently needed for the maintenance, education, or benefit of the infant, or that in any other circumstances it is expedient so to do, the Postmaster General 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

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

(2) On the opening of an account in the name of a mentally disordered person, the prescribed declaration shall be made by the 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 the 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 Postmaster General 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

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

(2) 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.

(3) Upon the application of all the said persons or the survivor of them, the Postmaster General 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. Every party to the account as altered shall make the declaration required upon the opening of an account.

Trust accounts

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

(2) The prescribed declaration 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 Postmaster General 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 Postmaster General 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 prescribed form.

Friendly societies

8.—(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 Postmaster General :—

(*a*) a printed copy of the rules of the society ;

(*b*) an application in the prescribed 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 prescribed 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), any application to withdraw the deposits may be made by any persons for the time being recognised by the Postmaster General as entitled to sign applications for withdrawal.

Charitable and other societies

9.—(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 unincorporate body of persons) of moneys belonging to any fund, being a fund which the Postmaster General, in his discretion, shall deem proper to be deposited in the Post Office Savings Bank.

(2) The trustees or treasurer of the society shall forward to the Postmaster General :—

(*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 ;

(*b*) an application in the prescribed form, or in such other form as may be approved by the Postmaster General, signed by the trustees or treasurer of the society, for authority to make deposits, 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 prescribed 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), any application to withdraw the deposits may be made by any persons for the time being recognised by the Postmaster General as entitled to sign applications for withdrawal.

Building and Industrial and Provident Societies and Corporations and Government Departments

10.—(1) Deposits may be made in the name of a building society incorporated under the Building Societies Act 1962(**a**) or under the enactments repealed by that Act, in the name of a society incorporated under the Industrial and Provident Societies Acts 1893 to 1961, and (subject to the approval of the Postmaster General in each case) in the name of any other body corporate or in the name of a corporation sole.

(**a**) 1962 c. 37.

(2) In the case of a corporation sole, a declaration in the prescribed 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 Postmaster General, 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 Postmaster General may require, and withdrawals from the account shall be made in accordance with the conditions imposed as aforesaid.

Sheriff Clerk in Scotland

11.—(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 prescribed 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).

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

County Courts in Northern Ireland

12.—(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 prescribed 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.

(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).

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

Public Trustee

13.—(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 prescribed 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 Postmaster General 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 such authority as in this regulation mentioned shall be lodged with the Director of Savings at least 48 hours before any application signed by virtue of that authority is presented.

Deposit book

14.—(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 Postmaster General shall think fit.

(2) Except in such cases as the Postmaster General shall direct, every person who may properly sign an application to withdraw deposits from the account 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 Postmaster General and shall be delivered up as and when required by the Postmaster General.

Transmission of deposit book to the Director of Savings

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

Loss of or damage to and surrender of deposit book

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

(2) If in the opinion of the Postmaster General any deposit book has been tampered with or is in such a condition as to render the issue of a new book desirable, the Postmaster General 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 Postmaster General may pay any sum in respect of any amount in the Post Office 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

17. Except where the Postmaster General 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 officer of the Postmaster General receiving it at the time when it is received, and the entry shall be attested by that officer and by the stamp of his office: 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 Post Office Savings Bank;

(*b*) on the opening of an account, a receipt so attested may be issued for the first deposit by the officer receiving it and the deposit entered in the deposit book by an officer of the Postmaster General when the book is issued to the depositor.

Minimum amount of ordinary deposits

18. An ordinary deposit of less than 5s. may not be made at any savings bank office.

Deposit of sums previously accumulated by means of stamps

19. The Postmaster General may provide for the deposit of sums which have been accumulated by means of adhesive stamps of prescribed kinds affixed to books or cards or otherwise in the prescribed manner.

Procedure on withdrawals

20.—(1) Subject to the provisions of these regulations, application for withdrawal of money deposited shall be made in the prescribed form to the Director of Savings at the principal office of the Post Office Savings Bank, requesting that payment be made either by a warrant payable in cash drawn in favour of the depositor or of the person entitled to make such application, or by a warrant payable only through a bank (in these regulations referred to as a "crossed warrant") drawn in favour of the depositor, or of such person as aforesaid, or of a third party named in the application. If the issue of a crossed warrant is requested, the application shall be accompanied by the deposit book: Provided that the Postmaster General 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 savings bank year;

(*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 Postmaster General.

(2) Where an application for the withdrawal of deposits is made by more persons than one, 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 though not one of the applicants, or where the society is a branch, to any officer of the central body or of any other branch.

(3) Subject to regulations 21, 22 and 23, and except where the Postmaster General otherwise directs, all payments made by him shall be made by warrant in the prescribed form, and accordingly every application for withdrawal of deposits shall be treated as implying an authority to the Postmaster General 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 Postmaster General receives notice that the applicant has died or has countermanded such authority, the Postmaster General shall not issue the warrant or, if it has already been issued, shall take all reasonable steps to stop payment thereof.

(4) A warrant issued under these regulations (other than a crossed warrant) shall be payable, on presentation with the relative deposit book, at the savings bank office named therein or, if no office is named, at any savings bank office at which payment can be made without inconvenience to the business of the Post Office. A crossed warrant shall be payable to a banker

at the General Post Office in the City of London or at such other place as the Postmaster General shall direct.

(5) No warrant issued under these regulations shall be paid until the receipt thereon for the amount thereby payable has been duly signed by the payee or by some person duly authorised by him to receive the payment: Provided that in the case of a crossed warrant payable to a third party, the warrant may be paid if the receipt thereon purports to be signed by the payee.

(6) The amount of every withdrawal shall be entered in the deposit book by an officer of the Post Office, and the entry shall be attested by that officer and by the stamp of his office.

(7) Section 76, section 77(1) (3) (4) and (5), section 77(6) so far as it relates to crossed cheques, and sections 78 to 81 inclusive, of the Bills of Exchange Act 1882(a), and section 4 of the Cheques Act 1957(b) shall apply to a crossed warrant issued under these regulations as if the warrant were a cheque drawn on the Postmaster General by the officer issuing the warrant: Provided that nothing in these regulations shall be deemed to render any such warrant a negotiable instrument.

(8) The posting by the Postmaster General of a letter containing a warrant issued under these regulations addressed to any person at the last address furnished by that person to the Postmaster General shall, as regards the liability of the Postmaster General, be equivalent to the delivery of the warrant to the person to whom the letter was addressed.

(9) If the Postmaster General considers it expedient so to do, he may at his discretion vary the procedure on withdrawal and the method of payment prescribed 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 on demand

21.—(1) Withdrawal of deposits to an amount not exceeding £10 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 the Post 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 prescribed 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 Postmaster General 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.

(a) 1882 c. 61. (b) 1957 c. 36.

(2) This regulation shall not apply in the case of such accounts as the Postmaster General shall direct.

Withdrawals by telegraph

22.—(1) Application to withdraw sums by telegraph may be made at such savings bank offices and during such hours as may be prescribed.

(2) The application shall be made in the prescribed form, the deposit book shall be produced, and payment shall be made for each telegram to and from the Director of Savings in accordance with regulation 7 of the Telegraph (Inland Written Telegram) Regulations 1963(a) or with any regulations amending or replacing the same.

(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 prescribed 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 11 or 12, or to moneys deposited in the name of the Public Trustee either solely or jointly with any other name.

Withdrawals by telegraph in respect of naval accounts

23.—(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 any sum by telegraph (including the wireless telegraphy system of the Ministry of Defence (Naval)) under and subject to regulation 22: 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 infants of seven years or more

24. An application for the withdrawal of money deposited by or in the name of an infant may be made by the infant if of the age of seven years or more.

(a) S.I. 1963/558 (1963 I, p. 617).

Authority for payment to third party

25.—(1) A warrant, other than a crossed 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 to receive the amount payable on a warrant shall be either a power of attorney duly executed in the presence of a witness, or an authority in the prescribed form or letter signed in the presence of an officer of the Postmaster General (other than the paying officer) or a person approved by the Postmaster General in that behalf: Provided that the Postmaster General 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 an infant 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 Postmaster General, may present and receive payment under the warrant.

(5) This regulation shall not apply to moneys deposited pursuant to regulation 11 or 12, or to moneys deposited in the name of the Public Trustee either solely or jointly with any other name.

PART II

Transfer of Deposits and Addition of Names

Transfer of deposits

26.—(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 deposit in the Post Office Savings Bank. Except where the Postmaster General otherwise directs, any such application shall be in the appropriate prescribed form and shall be accompanied by the deposit book relating to those deposits.

(2) On being satisfied as to the title of the applicant to transfer the deposits, the Postmaster General may effect the desired transfer.

(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 might be paid in accordance with the provisions of these regulations may, subject to the provisions of these regulations, in lieu of withdrawing any such sum, apply for the transfer thereof into his own name or the name of another person as aforesaid.

Transfer to and from other savings banks

27.—(1) Any application to transfer any sum from the account of a depositor in the Post Office Savings Bank to a government savings bank outside the United Kingdom (being a bank with which the Postmaster General has entered into an arrangement for such transfers) or to a trustee savings bank shall be made in the prescribed form, and shall be accompanied by the deposit book.

(2) Where an application is made to the Postmaster General for the transfer to the Post Office 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 Postmaster General has entered into an arrangement for such transfers) or in a trustee savings bank, and a certificate from the government savings bank or the trustee 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 the prescribed declaration.

Addition of names to an account

28.—(1) Upon the application of a depositor, the Postmaster General 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.

PART III

Nominations

Power to make nominations

29.—(1) Subject to the provisions of these regulations, a depositor of the age of 16 years or more may nominate any person to receive any sum due to the depositor at his death: Provided that the Postmaster General may in his discretion refuse to accept any nomination.

(2) Every nomination shall be made in writing in the prescribed form, 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 Postmaster General during the lifetime of the nominator.

(4) Every nomination accepted by the Postmaster General shall be registered by him and returned to the nominator.

(5) 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.

(6) No person who attests the signature of a nominator to a nomination shall take any benefit thereunder.

Effect of transfer on nominations

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

Revocation of nominations

31.—(1) A nomination shall be revoked:—

(*a*) by the death of the nominee, or, where there is more than one nominee, by the death 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 these regulations;

(*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 purpose 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 Postmaster General 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 Postmaster General, 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 Postmaster General

32.—(1) Every nominator shall, on making the nomination, furnish to the Postmaster General full particulars of any Post Office Savings Bank account and savings bank annuity or insurance to which the nomination applies.

(2) Every nominator shall, if and whenever a change occurs in relation to any savings bank account or annuity or insurance held by him to which the nomination applies, make such corrections in and additions to the particulars furnished on making the nomination as may be necessary, and shall forthwith forward to the Postmaster General the amended particulars.

(3) Where, by reason of the failure of a nominator to comply with 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.

Nomination covers annuity and insurance unless otherwise stated

33. A nomination 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 in the Post Office Savings Bank, unless the nominator shall in the nomination expressly exclude any such sums from the operation of the nomination.

Payment under nomination

34.—(1) On the death of any nominator, the Postmaster General 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 Postmaster General 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 Postmaster General that it is expedient that the sum nominated or any part thereof should be paid and applied for the maintenance or otherwise for the benefit of that nominee, pay the said sum or that part to any person who satisfies the Postmaster General that he will apply it for such purposes as aforesaid;

(*b*) if the nominee is a mentally disordered person and there is no receiver, the Postmaster General may pay the sum nominated or any part thereof to any person undertaking to maintain such nominee;

(*c*) where it appears to the Postmaster General 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 Postmaster General has notice (including, in a case where the nominator was domiciled in Scotland, claims in respect of jus relicti, jus relictae 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 Post Office Savings Bank and the said sum were deposited in his name in a Post Office 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 therefor if he has attained the age of sixteen years.

Nominations made prior to 1st October 1921

35.—(1) Any nomination made prior to 1st October 1921 shall continue to be governed by the Post Office Savings Bank Regulations 1910(a) and such regulations shall remain in force in relation to any such nomination: Provided that regulations 30, 31(1)(*e*) and 34(2) of these regulations shall apply to any such nomination.

(2) Any nomination made on or after 1st October 1921 shall be governed by these regulations.

PART IV

Death of Depositor

Law applicable on death of depositor

36. 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 Postmaster General before the payment was made, be deemed for the purposes of these regulations to have been duly made.

(a) S.R. & O. 1910/569 (1910, p. 640).

Payment on death where deposits do not exceed £500

37.—(1) Where the total amount due to a depositor at the time of his death does not exceed £500 exclusive of interest, and probate of the will of the deceased depositor or letters of administration of his estate is not or are not produced to the Postmaster General within such time as he thinks reasonable in the circumstances of the case, the Postmaster General, 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 Postmaster General to be entitled to take out probate of the will of the deceased or letters of administration of his estate;

(*b*) where the deceased has left a will (being a will with respect to which the Postmaster General 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 of that amount would, in the opinion of the Postmaster General, 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 Postmaster General 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 Postmaster General 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 Postmaster General, may properly be entrusted with the duty of distributing the deposits;

(*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 the last foregoing subparagraph apply, to the consular authority of the country to which the deceased belonged, or to such other authority as appears to the Postmaster General to be appropriate, subject in either case to the Postmaster General's being satisfied that the deposits will be distributed to the persons entitled thereto;

(*g*) in a case where the estate of the deceased appears to the Postmaster General 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 subparagraph (*b*) or subparagraph (*c*) of this paragraph dies 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 paragraph (1)(*c*) or under the proviso to paragraph (1) 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 under that age or is for any other reason unable to give a discharge therefor, the Postmaster General 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 the last foregoing paragraph, the Postmaster General, in making any payment under paragraph (1)(*b*) or paragraph (1)(*c*)(iii) or under the proviso to paragraph (1) shall, unless he is of opinion that hardship or inconvenience would be thereby caused, have regard to the rules of law regulating 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.

Death duties

38.—(1) Where on the death of a depositor the aggregate value of the specified assets (hereinafter defined) exceeds £1500, the Postmaster General shall, before making any payment or transfer of any of the deposits in the Post Office 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 of the Postmaster General 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 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;

(*b*) where the transfer is made by the direction of such legal personal representative, Official Receiver or trustee in bankruptcy, or by the Public Trustee; or

(*c*) 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 Postmaster General 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 Post Office Savings Bank;

(*b*) the total sum which would have been repayable (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 and in the name of any other person as joint holders;

(*c*) all stock and securities inscribed or registered in the Post Office 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 portion of the Post Office 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.

(3) For the purpose of this regulation, the value of the stock and securities referred to in paragraph (2)(*c*) shall be (i) in the case of Defence Bonds or other securities which can only be held on the Post Office Register, the nominal capital amount thereof, and (ii) in all other cases, the market value thereof at the date of the death of the depositor.

PART V

Investment Deposits

Conditions on which investment deposits may be made

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

(2) Subject to the provisions of this regulation and of regulation 40, 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 26 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 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.

(6) Regulations 14(2), 21, 22, 23 and, save so far as it relates to transfers to and from government savings banks outside the United Kingdom, regulation 27 shall not apply to or in relation to investment deposits and investment deposit accounts.

Withdrawal or transfer of investment deposits

40.—(1) Except where the Postmaster General 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 at the principal office of the Post Office Savings Bank 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 an application for withdrawal in the appropriate prescribed form signed by the depositor or other person entitled to sign the application and requesting that payment be made by such a warrant as is mentioned in regulation 20(1), being a warrant

payable on the expiration of the period of one month beginning with the day on which the application is received at the principal office.

(3) The provisions of regulation 20 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 Postmaster General 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 the warrant for payment at a savings bank office in accordance with regulation 20(4).

(4) Every such notice of transfer of investment deposits shall be given by sending or delivering to the Director of Savings at the principal office an application to transfer in accordance with these regulations in the appropriate prescribed form, requesting that the transfer be made on the expiration of the period of one month beginning with the day on which the application is received at the principal office.

Interest on investment deposits

41.—(1) Interest on investment deposits (payable at such rates as the Postmaster General may from time to time determine with the consent of the Treasury) shall not be calculated on any amount less than £1 or some multiple of £1, and, as regards any money deposited, 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) Such interest shall be calculated to the 31st day of December in every year, and shall then be added to and become part of the principal money.

(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.

PART VI

Miscellaneous

Calculation of interest on ordinary deposits

42. For the purpose of section 5 of the Post Office Savings Bank Act 1954 (which provides, inter alia, for the calculation of interest payable 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

43.—(1) In respect of coupon deposit books issued to a depositor prior to the coming into force of these regulations, the following provisions shall have effect :—

(*a*) the Postmaster General may, in his discretion, require a depositor holding a coupon deposit book to surrender his book and to take in exchange a deposit book in which he shall be credited with the value of the coupon receipts in the surrendered book ;

(*b*) applications for the repayment of deposits represented by coupon receipts shall be made at a savings bank office by means of the prescribed form by the depositor in person, who shall produce his coupon deposit book and sign a receipt in the prescribed form ;

(*c*) regulation 29 shall not apply to any sum standing to the credit of an account in a coupon deposit book.

(2) In this regulation the expression "coupon deposit book" means a deposit book containing one or more adhesive labels issued before the coming into force of these regulations to a depositor when the amount of the first deposit was less than 10s.

Persons under disability

44. 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.

Bankruptcy of depositor

45. Where it is shown to the satisfaction of the Postmaster General that a receiving order has been made in respect of the property of a sole depositor, or that a trustee in bankruptcy of the property of a sole depositor has been appointed, or that an order for the administration in bankruptcy of the estate of a deceased sole depositor has been made, the Postmaster General may, in his discretion, on the application of 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.

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 Postmaster General 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 the prescribed manner.

(2) Where the person to whom a warrant is made payable 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 Postmaster General 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

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

(2) The Postmaster General shall not by reason of any description of a depositor as a trustee (whether or not a trust is specified) pursuant to regulation 3(2), 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 Postmaster General 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 3(2) or otherwise that the deposits are held on a trust; and in making any transfer or payment in pursuance of any such application the Postmaster General 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 Postmaster General, be conclusive evidence that the dealing is authorised by the power, unless the Postmaster General 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, no receipt or other acknowledgement of the receipt of money, and no power of attorney or other document relating solely to the payment or receipt of money deposited in the Post Office Savings Bank is liable to or charged with any stamp duty.

Evidence of identity, etc.

51.—(1) The Postmaster General 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 Postmaster General may for the purpose of obtaining any such evidence require a statutory declaration to be made by any person.

(2) The Postmaster General may accept as conclusive proof of the death of a depositor any evidence which establishes to his satisfaction that a 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.

Indemnity of the Postmaster General and his officers

52.—(1) The Postmaster General 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 Post Office Savings Bank Acts 1954 and 1966 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 Postmaster General 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 unincorporate 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 11,

12 and 13, or anyone authorised by such persons respectively to receive payment of the sum payable on a warrant.

Saving of rights of third parties

53. Nothing in these regulations for the protection of 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 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.

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 Postmaster General for any money so paid.

PART VII

Application of Regulations

Application to existing accounts

55. Subject to the provisions of these regulations, these regulations shall apply to all sums standing to the credit of any account open in the Post Office Savings Bank on the day when these regulations come into operation: Provided that anything done before that day by or in accordance with the directions of the Postmaster General with respect to any deposit or interest thereon, if done in accordance with the regulations hereby revoked, shall be deemed to have been lawfully done notwithstanding that the provisions of these regulations were not complied with.

Application to Scotland

56. Subject to regulation 36, these regulations shall apply to Scotland with the following modifications:—

(1) references to a mentally disordered person shall be deemed to refer to a person who is incapable by reason of mental disorder within the meaning of the Mental Health (Scotland) Act 1960(a) of managing and administering his property and affairs;

(2) references to a receiver in relation to a mentally disordered person shall be deemed to refer to a curator bonis, guardian or tutor;

(3) references to a receiving order shall be deemed to refer to an award of sequestration;

(4) references to the Official Receiver shall be deemed to refer to the trustee or judicial factor in bankruptcy;

(5) references to probate of the will or to letters of administration of the estate of a deceased depositor shall, in the case of a depositor who died domiciled in Scotland, be deemed to refer to confirmation of executors according to the law of Scotland;

(6) expressions referring to the Treasury Solicitor shall, in the case of a depositor domiciled in Scotland, be deemed to refer to the Queen's and Lord Treasurer's Remembrancer.

(a) 1960 c. 61.

Application to Northern Ireland

57. Subject to regulation 36, these regulations shall apply to Northern Ireland with the following modifications:—

(1) references to the Official Receiver shall be deemed to refer to the Official Assignee in Bankruptcy;

(2) references to a receiving order shall be deemed to refer to an order of adjudication of bankruptcy or, in an arrangement under the control of the court, an order approving a resolution or agreement of creditors operating by virtue of section 349 of the Irish Bankrupt and Insolvent Act 1857(a) to vest a deposit in the Official Assignee alone or jointly with any person;

(3) references to a mentally disordered person shall be deemed to refer 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(b), is or is considered incapable of managing his affairs;

(4) references to a receiver in relation to a mentally disordered person shall be deemed to refer to a committee or any other person appointed pursuant to the Lunacy Regulation (Ireland) Act 1871(c) (as amended by the Lunacy (Ireland) Act 1901(d), the Northern Ireland (Miscellaneous Provisions) Act 1945(e), the Mental Health Act 1959(f) and the Mental Health (Scotland) Act 1960), and the orders made thereunder, to exercise with respect to the estate of such person powers similar to those of a committee;

(5) references to the Building Societies Act 1962 shall be deemed to refer to the Building Societies Acts (Northern Ireland) 1874 to 1964;

(6) references to the Industrial and Provident Societies Acts 1893 to 1961 shall be deemed to refer to the Industrial and Provident Societies Acts (Northern Ireland) 1893 to 1963;

(7) references to a government department or office shall be deemed to include references to a department or office of the Government of Northern Ireland;

(8) references to the Treasury Solicitor shall, in the case of a depositor domiciled in Northern Ireland, be deemed to refer to the Chief Crown Solicitor for Northern Ireland.

Application to Isle of Man

58. Subject to regulation 36, these regulations shall apply to the Isle of Man with the following modifications:—

(1) references to a receiver in relation to a mentally disordered person shall be deemed to include references to the committee of the estate of a person found of unsound mind according to the law of the Isle of Man and a receiver appointed under section 3 of the Mental Diseases Act 1954 of the Isle of Man;

(2) references to probate of the will or to letters of administration of the estate of a deceased depositor, shall, in the case of a depositor who died domiciled in the Isle of Man, be deemed to refer to probate or letters of administration granted according to the law of the Isle of Man;

(a) 1857 c. 60. (b) 1961 c. 15. (N.I.) (c) 1871 c. 22. (d) 1901 c. 17. (e) 1945 c. 12. (f) 1959 c. 72.

(3) the receipt of the executor or administrator named in the probate of the will or letters of administration of the estate and effects of a depositor who died domiciled in the Isle of Man granted by the High Court of Justice of the Isle of Man shall be a good discharge to the Postmaster General for any sum payable in respect of the deposits of that depositor;

(4) references to the Treasury Solicitor shall, in the case of a depositor domiciled in the Isle of Man, be deemed to refer to the Treasurer of the Isle of Man;

(5) references to the Building Societies Act 1962 shall be deemed to refer to the Industrial and Building Societies Acts 1892 to 1963 of the Isle of Man.

Application to Jersey

59. Subject to regulation 36, these regulations shall apply to the Island of Jersey with the following modifications:—

(1) references to the making of a receiving order in respect of the property of a sole depositor or the appointment of a trustee in bankruptcy of such property, or to a person becoming a bankrupt shall be deemed to refer to a depositor becoming bankrupt within the meaning of the Interpretation (Jersey) Law 1954, references to the making of an order for the administration in bankruptcy of the estate of a deceased sole depositor shall be deemed to refer to a grant of " bénéfice d'inventaire " where the estate is not accepted by an heir, and references to the Official Receiver or to a trustee in bankruptcy shall be deemed to refer to Her Majesty's Viscount of Jersey or such other person as (in the circumstances of any particular case) may be entitled to administer the bankrupt or deceased depositor's property according to the law of Jersey, whether or not by virtue of his being appointed in that behalf by the Royal Court of Jersey;

(2) references to a receiver in relation to a mentally disordered person shall be deemed to refer to the curator of a person interdicted according to the law of Jersey;

(3) where any question as to the liability of a banker who has received payment of a crossed warrant issued under these regulations falls to be determined according to the law of Jersey, the reference in regulation 20(7) to section 4 of the Cheques Act 1957 shall be deemed to refer to Article 4 of the Cheques (Jersey) Law 1957;

(4) notwithstanding anything in regulation 25(2) (but without prejudice to the validity of any such authority in the prescribed form or letter as is therein mentioned), a power of attorney executed in Jersey by a person resident in Jersey in favour of a donee who is resident there shall not be a valid authority for the purpose of regulation 25, unless it was executed in accordance with the Powers of Attorney (Mode of Execution) (Jersey) Law 1962;

(5) references to probate of the will or to letters of administration of the estate of a deceased depositor shall, in the case of a depositor who died domiciled in Jersey, be deemed to refer to probate or letters of administration granted according to the law of Jersey;

(6) 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;

(7) in the case of a deceased depositor who died domiciled in Jersey, the receipt of the executor who has been granted probate of the will or of the administrator who has taken out letters of administration of the personal estate of the depositor, in accordance with the provisions of the Probate (Jersey) Law 1950, shall be a good discharge to the Postmaster General for any sum payable in respect of the deposits of that depositor;

(8) references to the Treasury Solicitor shall, in the case of a depositor domiciled in Jersey, be deemed to refer to Her Majesty's Receiver General for Jersey.

Application to Guernsey, Alderney and Sark

60. Subject to regulation 36, these regulations shall apply to the Bailiwick of Guernsey with the following modifications:—

(1) references to the making of a receiving order in respect of the property of a sole depositor or the appointment of a trustee in bankruptcy of such property, or to the making of an order for the administration in bankruptcy of the estate of a deceased sole depositor, or to a person becoming a bankrupt shall be deemed to refer to a depositor becoming insolvent under the law for the time being in force in the Bailiwick of Guernsey, and references to the Official Receiver or to a trustee in bankruptcy shall be deemed to refer to the person entitled to the property, in whole or in part, of a depositor on his becoming insolvent under that law;

(2) references to a mentally disordered person shall be deemed to refer to a person of unsound mind within the meaning of the Mental Treatment Law (Guernsey) 1939 (as amended by the States Committees (Amendment) Law 1948, the Mental Treatment (Amendment) (Guernsey) Law 1956, the Criminal Justice (Special Verdicts) (Guernsey) Law 1961, and the Mental Treatment (Amendment) (Guernsey) Law 1964), and references to a receiver in relation to a mentally disordered person shall be deemed to refer to the guardian of such person;

(3) where any question as to the liability of a banker who has received payment of a crossed warrant issued under these regulations falls to be determined according to the law of the Bailiwick of Guernsey, the reference in regulation 20(7) to section 4 of the Cheques Act 1957 shall be deemed to refer to section 84 of the Bills of Exchange (Guernsey) Law 1958;

(4) references to probate of the will or to letters of administration of the estate of a deceased depositor shall, in the case of a depositor who died domiciled in the Bailiwick of Guernsey, be deemed to refer to probate or letters of administration granted according to the law of the said Bailiwick;

(5) a nomination made 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;

(6) the receipt of the executor or administrator named in the probate of the will or letters of administration of the personal estate and effects of a depositor who died domiciled in the Bailiwick of Guernsey granted by the Ecclesiastical Court of the Island of Guernsey shall be a good discharge to the Postmaster General for any sum payable in respect of the deposits of that depositor;

(7) references to the Solicitor to the Treasury shall, in the case of a depositor domiciled in the Bailiwick of Guernsey, be deemed to refer to Her Majesty's Receiver-General.

PART VIII

General

Interpretation

61.—(1) In these regulations, except so far as the contrary is provided or the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:—

"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;

"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;

"Director of Savings" means the Director of Savings in the Post Office;

"friendly society" means a society legally registered in the manner required by the Acts in force relating to friendly societies and includes a registered branch;

"investment deposit" has the same meaning as in the Post Office Savings Bank Act 1966;

"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;

"officer of the Postmaster General" includes any person authorised to transact savings bank business under regulation 1(2);

"ordinary deposit" has the same meaning as in the Post Office Savings Bank Act 1966;

"prescribed" means prescribed for the time being by the Postmaster General;

"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 under the Post Office Savings Bank Acts 1954 and 1966 and all business incidental to such receipt and repayment;

"savings bank office" means a post office at which savings bank business is transacted or a place where any person authorised in that behalf under regulation 1(2) transacts savings bank business;

"savings bank year" means the twelve months ending on 31st December in any year;

"savings certificate" means a certificate issued under the name of a War Savings Certificate or a National Savings Certificate by the Treasury through the Post Office for the purpose of raising money authorised to be raised by any Act;

"trustee savings bank" has the same meaning as in the Trustee Savings Banks Act 1954(a).

(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, re-enacted or replaced by any subsequent enactment or regulations.

(3) The Interpretation Act 1889(b) 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.

Citation, commencement and revocation

62.—(1) These regulations may be cited as the Post Office Savings Bank Regulations 1966.

(2) These regulations shall come into operation on the expiration of the period of 3 days beginning with the day on which they are made.

(3) The regulations mentioned in the Schedule are hereby revoked.

Dated 16th June 1966.

Anthony Wedgwood Benn,
Her Majesty's Postmaster General.

We consent to these regulations.

George Lawson,
W. Howie,
Two of the Lords Commissioners of Her Majesty's Treasury.

16th June 1966.

(a) 1954 c. 63. (b) 1889 c. 63.

SCHEDULE Regulation 62(3)

Regulations revoked	References
The Post Office Savings Bank Regulations 1938.	S.R. & O. 1938/556 (Rev. XX, p. 608: 1938 II, p. 3084).
The Post Office Savings Bank Amendment (No. 2) Regulations 1940.	S.R. & O. 1940/1156 (Rev. XX, p. 608: 1940 I, p. 972).
The Post Office Savings Bank Amendment (No. 3) Regulations 1943.	S.R. & O. 1943/293 (Rev. XX, p. 633: 1943 I, p. 886).
The Post Office Savings Bank Amendment (No. 4) Regulations 1955.	S.I. 1955/627 (1955 II, p. 2386).
The Post Office Savings Bank Amendment (No. 5) Regulations 1956.	S.I. 1956/1189 (1956 II, p. 2192).
The Post Office Savings Bank Amendment (No. 6) Regulations 1957.	S.I. 1957/2182 (1957 II, p. 2256).
The Post Office Savings Bank Amendment (No. 7) Regulations 1961.	S.I. 1961/2450 (1961 III, p. 4500).

EXPLANATORY NOTE

(This Note is not part of the regulations.)

These regulations consolidate with amendments the Post Office Savings Bank Regulations 1938 and amending regulations (which are specified in the Schedule), and make additional provisions under the Post Office Savings Bank Act 1966 with respect to investment deposits and certain other matters.

The principal additions and changes are :—

(1) An investment deposit may not be made unless the depositor has a balance of at least £50 in an ordinary deposit account. An investment deposit of less than £1 may not be made (regulation 39).

(2) One month's notice is required to withdraw investment deposits (regulation 40).

(3) The minimum amount of an ordinary deposit, formerly 1s., is now 5s. (regulation 18).

(4) Provision is made with respect to the entry of deposits in depositors' books (regulation 17).

(5) Depositors serving in ships or establishments of the Royal Navy may withdraw a maximum of £30 without previous notice (regulation 21(1)(*e*)).

The regulations will come into operation on 19th June 1966.