CHAPTER 40.

An Act to amend the Acts relating to Savings Banks and to the Purchase of Small Government Annuities, and to assuring Payments of Money after Death.

[16th September 1887.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

Post Office Savings Banks.

Extension of power of Postmaster-General to make regulations for post office savings banks 24 & 25 Vict. c. 14. 26 & 27 Vict. c. 87. 46 & 47 Vict. c. 47.

1. Whereas the Post Office Savings Banks Act, 1861, declared that the enactments then in force relating to trustee savings banks, as to matters for which no other provision was made by that Act, should be deemed applicable to that Act, so far as such enactments were not repugnant to that Act, and the enactments so applied included those mentioned in the third column of the First Schedule to this Act, and the enactments mentioned in that schedule, which were in force in 1863, were, so far as regards trustee savings banks, repealed and consolidated by the Trustee Savings Banks Act, 1863, and were amended by the Provident Nominations and Small Intestacies Act, 1883:

And whereas under section eleven of the Post Office Savings Banks Act, 1861, and subsequent Acts relating to post office savings banks, the Postmaster-General, with the consent of the Treasury, has power to make regulations with respect to the making of deposits in post office savings banks, and matters incidental to the carrying of the said Acts into execution, and for the other purposes in the said Acts mentioned:

And whereas it is expedient to extend the power of the Postmaster-General with respect to the said regulations: Be it therefore enacted as follows:—

(1.) The regulations made by the Postmaster-General with the consent of the Treasury in pursuance of the Post Office Savings Banks Act, 1861, and of other Acts relating to post office savings banks, may provide—

(*a.*) for the payment or transfer of sums in any post office savings bank which belong to persons appearing to be minors or of unsound mind, or form part of the personal estate of any person appearing to be deceased, and

(*b.*) for the transfer of deposits from one account to another account, whether an existing or a new account, and

(*c.*) for determining the evidence to be accepted by the Postmaster-General of any matter for the purpose of the payment or transfer of any sum, and

(*d.*) for determining the receipts which are to be a good discharge to the Postmaster-General in the case of the payment or transfer of any sum, and

(*e.*) for applying to post office savings banks all or any of the enactments of the Trustee Savings Banks Act, 1863, either without modification or with such modification as may seem necessary or proper for the better execution of the Post Office Savings Banks Act, 1861, and subsequent Acts relating to post office savings banks.

26 & 27 Vict. c. 87.

(2.) Provided that such regulations shall prohibit a person from being a depositor in both a trustee and a post office savings bank, or from having two separate accounts in the post office savings bank, and shall require such declaration from a depositor as may be necessary for preventing his having such two accounts, and shall provide for the forfeiture, under the conditions specified in the regulations, of money due to the depositor in the event of such declaration being false.

Regulations for trustee savings banks.

2. The Treasury shall from time to time make, revoke, alter, or add to regulations for the purpose of extending to trustee savings banks any regulations made in pursuance of this Act with respect to post office savings banks so far as those regulations provide—

(*a.*) for the payment or transfer of sums which belong to persons appearing to be minors or of unsound mind, or form part of the personal estate of any person appearing to be deceased; or

(*b.*) for the transfer of deposits from one account to another account, whether an existing or a new account; or

(*c.*) for determining the evidence to be accepted of any matter for the purpose of the payment or transfer of any sum; or

(*d.*) for determining the receipts which are to be a good discharge in the case of the payment or transfer of any sum.

Regulations as to deposit of deceased depositor.

3.—(1.) The regulations made in pursuance of this Act may also provide—

(*a.*) for the nomination by a depositor not being under sixteen years of age of any person or persons to whom any sum or sums not exceeding in the aggregate one hundred pounds payable to such depositor at his decease (including any portion of any annuity or accrued interest payable to the representatives of such depositor) is or are to be paid at such decease, and

(*b.*) for the revocation of such nomination and for the payment of the specified amount to any nominee so nominated, and

(*c.*) for the effect and construction of such nomination in the event of the sums due to the depositor exceeding one hundred pounds, and may provide for it taking effect as respects an amount or amounts not exceeding one hundred pounds in like manner as if it were a will of the deceased duly executed, and that notwithstanding want of due execution, minority, or marriage.

(2.) Where the sum in a savings bank which forms part of the personal estate of a person appearing to be deceased does not

exceed one hundred pounds, then, if the regulations under this Act so provide, and subject to such regulations, probate, or other proof of the title of the personal representative of the deceased person may be dispensed with, and such sum may be paid or distributed to or among the persons appearing in manner provided by the said regulations to be beneficially entitled to the personal estate of such deceased person, whether under such nomination of the deceased person as is allowed by the regulations, or by law, or as next of kin, or as creditors, or otherwise, or to or among any one or more of such persons, exclusively of the others, or in case of any illegitimacy of the deceased person or his children, to or among such person or persons as may be directed by the said regulations, and the person making such payment shall be discharged from all liability in respect of the sum paid in accordance with the said regulations.

Laying of regulations before Parliament.

4. The draft of all regulations proposed to be made in pursuance of this Act shall be laid before both Houses of Parliament for not less than forty days before they are made, and all such regulations when made shall come into operation at the time therein mentioned, and shall be binding on all persons as if they were enacted in this Act.

Amendment of 43 & 44 Vict. c. 36. as to minimum sum of stock to be invested.

5. The minimum amount of Government stock in which a deposit may be invested in pursuance of the Savings Banks Act, 1880, shall be such amount as may be from time to time fixed by regulations made in pursuance of that Act, and the amount so fixed for the time being shall be substituted for ten pounds stock or stock of the value of ten pounds, wherever reference is made to that amount of stock in the said Act and Acts amending the same.

Exception of money invested in computing annual maximum.

6. When any sums not deposited for immediate investment are invested by any savings bank authority, on the request of the depositor, in any Government stock, any sums previously deposited in the same savings bank year by such depositor shall not, except so far as they exceed in the aggregate the sums invested in that year, be reckoned in computing the maximum amount which is allowed to be deposited in that year.

Amendment of 43 & 44 Vict. c. 36., as to investments for lunatics and minors.

7. Regulations made under the Savings Banks Act, 1880, may provide for the investment in Government stock in accordance with that Act of sums standing to the account of a depositor who is a minor or a lunatic.

Construction of part of Act. 45 & 46 Vict. c. 51.

8.—(1.) Expressions in this part of this Act shall have the same meaning as they have in the Savings Banks Act, 1880.

(2.) So much of any enactment of the Savings Banks Act, 1880, and of the Government Annuities Act, 1882, and of any other enactment as applies for the purposes of such enactment or Act the enactments relating to savings banks, and the regulations made in pursuance of those enactments, shall be deemed to apply for the same purposes this part of this Act, and save as otherwise provided by regulations under this part of this Act, shall be deemed also to apply for the same purposes those regulations.

PART II.

Government Annuities.

Amendment of 45 & 46 Vict. c. 51. s. 8., as to insurance on life of third person. 27 & 28 Vict. c. 43.

9. Notwithstanding anything in section eight of the Government Annuities Act, 1882, a savings bank annuity depending on the life of any person may, under such circumstances as are permitted by the regulations made under the Government Annuities Act, 1864, as amended by the above-mentioned Act, be granted to any other person, and when so granted may be transferred, so however, that the amount of annuity or annuities granted on the life of any person do not exceed in the whole the amount of any annuity which could have been granted to such person.

PART III.

Supplemental.

Price of certificate of birth, death, or marriage.

10. For the purpose of the Acts relating to Post Office Savings Banks or to trustee savings banks, and of the Government Annuities Acts, 1829 to 1882, a certificate of the birth or death or marriage of any depositor, or of any person insured under any of the above-mentioned Acts, shall be given under his hand by a registrar of births and deaths or marriages, or other person having the care of the register in which such birth or death or marriage is entered for a sum not exceeding one shilling in place of all fees or payments in respect of the same, on application being made for the same in such form and under such regulations as may be from time to time approved of by the Registrar-General of Births, Deaths, and Marriages for England, Scotland, and Ireland respectively.

Repeal.

11. The Acts mentioned in the First Schedule to this Act shall, to the extent in the third column of that Schedule mentioned, be repealed as from the date at which any regulations with respect to post office savings banks made in pursuance of Part One of this Act come into operation;

Provided that the repeal by this section shall not affect anything previously done or suffered in pursuance of any enactment hereby repealed.

The Acts mentioned in the Second Schedule to this Act shall, to the extent in the third column of that schedule mentioned, be repealed as from the date at which any regulations with respect to trustee savings banks made in pursuance of Part One of this Act come into operation.

Short title.

12. This Act may be cited as the Savings Banks Act, 1887.

The following Acts and enactments, that is to say:—

24 & 25 Vict. c. 14.

(*a.*) The Post Office Savings Banks Act, 1861;

(*b.*) The enactments applied by that Act which are for the time being in force;

26 & 27 Vict. c. 14.

(*c.*) Section one of the Act of the session of the twenty-sixth and twenty-seventh years of the reign of Her present Majesty, chapter fourteen, intituled "An Act to amend the law relating to Post Office Savings Banks;"

37 & 38 Vict. c. 78.

(*d.*) The Post Office Savings Banks Act, 1874;

(*e.*) The Savings Banks Act, 1880, so far as it relates to post office savings banks; and 43 & 44 Vict. c. 36.

(*f.*) Parts One and Three of this Act,

may be cited together as the Post Office Savings Bank Acts, 1861 to 1887.

The Government Annuities Acts, 1829 to 1882, and Parts Two and Three of this Act, may be cited together as the Government Annuities Acts, 1829 to 1887. 10 Geo. 4. c. 24. 45 & 46 Vict. c. 51.

13. The Post Office Savings Bank Acts, 1861 to 1887, and the Government Annuities Acts, 1829 to 1887, shall extend to the Channel Islands and the Isle of Man, and the Royal Courts of the Channel Islands shall register the same. Extension of Acts to Channel Islands.

THE FIRST SCHEDULE.

ENACTMENTS RELATING TO POST OFFICE SAVINGS BANKS REFERRED TO AND REPEALED. Section 11.

Session and Chapter.	Title.	Enactment referred to and repealed.
9 Geo. 4. c. 92.	An Act to consolidate and amend the laws relating to savings banks.	Section twenty-five (savings of minors may be invested). Section twenty-nine (receipt of treasurer, &c. of friendly society or charitable institution deemed sufficient). Section thirty-two (no sum to be subscribed without name and profession of the depositor). Section thirty-three (persons allowed to subscribe as trustees on behalf of others). Section thirty-four (subscribers to one savings bank shall not subscribe to any other, and declaration to be made, and penalty for false declaration). Section forty (payment on death of depositor). Section forty-one (exemption from stamp duty and distribution of effects where under fifty pounds). Section forty-two (payment to persons appearing to be next-of-kin). Section forty-three (payment under probate). Section forty-four (exemption of powers of attorney from stamp duty).

Session and Chapter.	Title.	Enactment referred to and repealed.
5 & 6 Will. 4. c. 57. -	An Act to extend to Scotland certain provisions of an Act of the ninth year of His late Majesty, to consolidate and amend the laws relating to savings banks, and to consolidate and amend the laws relating to savings banks in Scotland.	Section four (application of the law of Scotland as regards payment to relations of deceased depositor).
7 & 8 Vict. c. 83.	An Act to amend the laws relating to savings banks, and to the purchase of Government annuities through the medium of savings banks.	Section three (declaration by depositors on first deposit). Section five (production of book by depositor). Section seven (trust accounts). Section ten (payment of deposit of deceased depositor when not exceeding fifty pounds). Section eleven (payment of deposit of deceased depositor being illegitimate and intestate). Section twenty (application to Scotland of provisions respecting probate).
46 & 47 Vict. c. 47. -	The Provident Nominations and Small Intestacies Act, 1883.	Section three, so far as it relates to post office savings banks (raising of fifty pounds to one hundred pounds). Section four, so far as it relates to post office savings banks (printing of nominations). Section five, so far as it relates to depositors in post office savings banks (nominating person to receive deposit not exceeding one hundred pounds). Section ten, so far as it relates to post office savings banks (provisions relating to legacy and probate duty). Section eleven, so far as it relates to post office savings banks (application to Channel Islands and Isle of Man).

THE SECOND SCHEDULE. Section 11.

ENACTMENTS RELATING TO TRUSTEE SAVINGS BANKS REFERRED TO AND REPEALED.

Session and Chapter.	Title.	Extent of Repeal.
26 & 27 Vict. c. 87. -	The Trustee Savings Banks Act, 1863.	Sections forty-three, forty-four, forty-five, and forty-six.
46 & 47 Vict. c. 47. -	The Provident Nominations and Small Intestacies Act, 1883.	Section three, so far as it relates to trustee savings banks (raising of fifty pounds to one hundred pounds). Section four, so far as it relates to trustee savings banks (printing of nominations). Section five, so far as it relates to depositors in trustee savings banks (nominating person to receive deposit not exceeding one hundred pounds). Section ten, so far as it relates to trustee savings banks (provisions relating to Legacy and Probate Duty). Section eleven, so far as it relates to trustee savings banks (application to Channel Islands and Isle of Man).

CHAPTER 41.

An Act to remove doubts as to the appointment of the Sheriff of Lanarkshire, and to confirm the same.

[16th September 1887.]

WHEREAS Robert Berry, Esquire, Advocate and Barrister-at-Law, was appointed to the office of sheriff of the county of Lanark by Royal Warrant on the fourth day of December one thousand eight hundred and eighty-six, and has since fulfilled the duties of that office, and doubts have arisen as to his appointment having been in conformity with the Act first and second Victoria, chapter one hundred and nineteen, and it is expedient to remove such doubts:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows: