STATUTORY INSTRUMENTS

1977 No. 1916

NATIONAL DEBT

The Savings Certificates (Amendment) (No. 3) Regulations 1977

Made - - - -	*27th October* 1977
Laid before Parliament	*22nd November* 1977
Coming into Operation	*15th December* 1977

The Treasury, in exercise of the powers conferred on them by section 11 of the National Debt Act 1972(**a**) and of all other powers enabling them in that behalf, hereby make the following Regulations:—

1. These Regulations may be cited as the Savings Certificates (Amendment) (No. 3) Regulations 1977, and shall come into operation on 15th December 1977.

2. The Interpretation Act 1889(**b**) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

3. The Savings Certificates Regulations 1972(**c**), as amended(**d**), shall be further amended in Regulation 22 (Death duties) as follows:—

(*a*) for the sub-heading "Death duties" there shall be substituted "Capital transfer tax chargeable on holder's death";

(*b*) for paragraph (1) there shall be substituted—

"(1) Where, on the death of the holder of any certificate (not being a certificate in respect of which it is shown to the satisfaction of the Director of Savings that the deceased holder had no interest therein otherwise than as a trustee), the aggregate value of the specified assets (hereinafter defined) exceeds £5,000, the Director of Savings shall, before making any payment in respect of, or transferring, the certificate, require the production of a statement from the Commissioners of Inland Revenue to the effect either that no capital transfer tax, being capital transfer tax chargeable on the death of such holder, is payable in respect of the certificate or that any capital transfer tax, being capital transfer tax chargeable on the death of such holder, so payable has been paid:

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

(*a*) where the payment or transfer is made to or as directed by:—

(i) the deceased holder's legal personal representative acting under probate or letters of administration granted by any court in the United Kingdom, or

(**a**) 1972 c. 65. (**b**) 1889 c. 63. (**c**) S.I. 1972/641 (1972 I, p. 2084).
(**d**) The relevant amending instrument is S.I. 1973/2163 (1973 II, p. 7541).

(ii) the Public Trustee, the Official Receiver, or the trustee in bankruptcy of the estate of the deceased holder; or

(*b*) where the deceased holder was at the time of his death domiciled in the Isle of Man or the Channel Islands; or

(*c*) where the beneficial interest in the certificate in question has passed to the spouse of the deceased holder in circumstances in which capital transfer tax is not chargeable.";

(*c*) for paragraph (3) there shall be substituted—

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

(*a*) in the case of stock which is of a description corresponding to stock or securities transferable in the books of the Bank of England, the market value thereof at the date of the death of the holder; and

(*b*) in all other cases, the nominal capital amount thereof.".

4. These Regulations shall apply in relation to deaths occurring on or after the date on which these Regulations come into operation.

J. Dormand,

D. Stoddart,

Two of the Lords Commissioners of Her Majesty's Treasury.

27th October 1977.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations, which amend the Savings Certificates Regulations 1972, increase from £3,000 to £5,000 the limit on the amount which may be repaid on death without the necessity for proof from the Commissioners of Inland Revenue that no capital transfer tax, being capital transfer tax chargeable on death of the holder of a certificate, is payable in respect of the certificate or that any such capital transfer tax so payable has been paid. The Regulations substitute the words capital transfer tax for the words death duties in consequence of the replacement of death duties by capital transfer tax, and make certain other minor and unrelated amendments.

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