CHAPTER 63

Trustee Savings Banks Act, 1954

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An Act to consolidate the enactments relating to trustee savings banks. [25th November, 1954]

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:—

Establishment of trustee savings banks

Conditions under which a savings bank may obtain the benefit of this Act.

1.—(1) A savings bank shall have the benefit of this Act (including the privilege of paying money into the Bank of England or the Bank of Ireland in return for interest-bearing receipts) if the conditions set out in this and the following section are fulfilled.

(2) A savings bank shall not have the benefit of this Act unless its formation was sanctioned and approved by the National Debt Commissioners (hereafter in this Act referred to as " the Commissioners ") or on their behalf by the Comptroller-General or Assistant Comptroller of the National Debt Office:

Provided that this subsection shall not apply to any savings bank formed before the twenty-eighth day of July, eighteen hundred and sixty-three (that is to say the date on which the Trustee Savings Banks Act, 1863, was passed).

(3) In this and the two next following sections the expression " savings bank " means a society formed in the United Kingdom

for the purpose of establishing and maintaining an institution in the nature of a bank—

(*a*) to accept deposits of money for the benefit of the persons making the deposits, and

(*b*) to accumulate the produce of the deposits (so far as not withdrawn) at compound interest, and

(*c*) to return the deposits and produce to the depositors after deducting any necessary expenses of management but without deriving any benefit from the deposits or produce.

Requirements as to bank rules.

2.—(1) A savings bank shall not have the benefit of this Act unless the rules of the bank expressly provide for the matters set out in the First Schedule to this Act nor unless those rules—

(*a*) have been certified and deposited with the Commissioners in pursuance of this section, and

(*b*) have been entered in a book to be kept by an officer of the bank appointed for that purpose which is to be open at all proper times for inspection by depositors.

(2) For the purpose of ascertaining whether the rules are in conformity with law and with the provisions of this Act, two copies of all the rules of the bank signed by two trustees of the bank shall be submitted by the trustees and managers of the bank to the Registrar.

(3) The Registrar shall certify on each copy that the rules are in conformity with law and with the provisions of this Act or point out in what respect they are repugnant thereto.

(4) One of the copies when so certified shall be returned to the savings bank and the other copy shall be deposited by the Registrar with the Commissioners.

Certification of a trustee savings bank.

3. A savings bank established under this Act shall be certified under this Act by the title of " savings bank certified under the Trustee Savings Banks Act, 1954 " and a bank certified under this Act or the Trustee Savings Banks Act, 1863, is hereafter in this Act referred to as a " trustee savings bank ".

The Inspection Committee

Constitution of the Inspection Committee.

4.—(1) There shall be an Inspection Committee of trustee savings banks with the several powers and duties conferred by the following provisions of this Act.

(2) Subject to the provisions of this Act, the term of office of members of the Committee and the making of appointments, and the powers, procedure and duties of the Committee shall continue to be governed by the scheme made under section two of the Savings Banks Act, 1891, in the same manner as immediately before the commencement of this Act.

(3) The Committee may, with the approval of the Commissioners, modify the said scheme, and the modification shall be laid before Parliament.

(4) A paid officer of a trustee savings bank shall not be eligible to be a member of the Committee.

(5) The Committee may act by a majority of the members present and voting at any meeting of the Committee, and may signify their acts by an instrument in writing signed by any two of the members of the Committee, and an act of the Committee shall not be invalid by reason only of any vacancy in their number.

(6) The Committee may, with the approval of the Treasury, appoint such officers as may appear to be required for the execution of the duties of the Committee under this Act.

(7) The members of the Committee shall be entitled to such remuneration by way of fees or otherwise as may be approved by the Treasury.

General provisions as to conduct of trustee savings banks

Title of a trustee savings bank.

5. A trustee savings bank may not be designated or described in any manner which imports that the Government is responsible or liable to depositors for money placed in the safe keeping of the bank, and may not bear any title other than that of " savings bank certified under the Act of 1863 " or, as the case may be, " savings bank certified under the Trustee Savings Banks Act, 1954 " with such additional local description, if any, as may be required for the sake of distinctiveness.

Amendment of bank rules.

6.—(1) No alteration, amendment or repeal of the rules of a trustee savings bank shall take effect until it has been entered in the book mentioned in section two of this Act.

(2) Two copies of any alterations or amendments of the rules signed by two trustees shall as soon as possible be submitted by the trustees of the bank to the Registrar and the Registrar shall certify on each copy that they are in conformity with law and with the provisions of this Act or point out in what respect they are repugnant thereto:

Provided that a rule making any alteration as respects the days or hours of attendance need not be submitted to the Registrar.

(3) One of the copies when so certified shall be returned to the trustee savings bank and the other copy shall be deposited by the Registrar with the Commissioners.

General provisions as to bank rules.

7.—(1) Subject to subsection (1) of the last foregoing section, the rules of a trustee savings bank, and any alterations or amendments of those rules, shall, from the time when they are certified by the Registrar, be binding on the trustees, managers and officers of the bank and on the depositors.

(2) The copy of any rules of a trustee savings bank, transmitted under this Act to the Commissioners or a true copy examined with the original copy so transmitted, and proved to be a true copy, shall be admissible as evidence of the rules in all cases.

(3) No order of certiorari shall be made to remove any rules of a trustee savings bank into the High Court.

Objects on which a trustee savings bank may expend money.

8.—(1) Any expenditure incurred by a trustee savings bank which, in the opinion of the Commissioners, is calculated to further the objects of the bank shall be deemed to be necessary expenses within the meaning of section one of this Act.

(2) The trustees of a trustee savings bank may, with the consent of the Commissioners given after consultation with the Inspection Committee and the Association, and subject to such conditions as the Commissioners after such consultation as aforesaid may impose either generally or in the case of any particular bank, undertake any business which is, in the opinion of the Commissioners, calculated to encourage thrift and within the financial capacity of the bank.

(3) The trustees of a trustee savings bank may defray all or any of the expenses of a penny savings bank which has a deposit account with the trustee savings bank.

(4) Any expenses properly incurred by a bank in carrying on such a business as is mentioned in subsection (2) of this section, and any expenses defrayed under subsection (3) of this section shall be deemed to be necessary expenses within the meaning of section one of this Act.

(5) In this Act the expression " the Association " means the association registered under the Companies Acts, 1908 to 1917, by the name of the Trustee Savings Banks Association.

Bank property to be held by custodian trustees.

9.—(1) All property of whatsoever description belonging to a trustee savings bank, including things in action or interests arising out of or incident to any property, shall be vested in the custodian trustees of the bank to be appointed under this section.

(2) It shall be the duty of the trustees of every trustee savings bank (in this section referred to as " the general trustees ") as soon as may be to appoint out of their own number four persons

to be the custodian trustees of the bank, and from time to time, when a vacancy occurs in the number of the custodian trustees, to appoint out of their own number a person to fill the vacancy.

(3) If the general trustees of a trustee savings bank fail, within three months after the occurrence of a vacancy in the number of the custodian trustees, to fill the vacancy the power of the general trustees to fill the vacancy shall be transferred to the Inspection Committee, and the Committee shall fill the vacancy accordingly.

(4) The Inspection Committee may, on the application of the general trustees of a trustee savings bank, remove any custodian trustee of the bank if, in the opinion of the Committee, he is unfit to continue in office or incapable of performing his duties, and a custodian trustee may, with the approval of the Inspection Committee, resign his office as such.

(5) A custodian trustee may continue to hold office as a general trustee, and may continue to hold office as custodian trustee notwithstanding that he has ceased to be a general trustee.

(6) All property of whatsoever description vested in any person in trust for a trustee savings bank at the date of the first appointment of the custodian trustees of the bank shall, by virtue of this Act, vest in the custodian trustees so appointed, and thereafter all property of whatsoever description vested in the custodian trustees of a trustee savings bank shall, on the occurrence of any vacancy in the number of custodian trustees or any change in the persons who are custodian trustees, by virtue of this Act, vest in the custodian trustees of the bank for the time being:

Provided that, on there ceasing to be any custodian trustees of a bank, the property shall thereupon, by virtue of this Act, vest in the general trustees of the bank until the appointment of new custodian trustees.

(7) The management of the property and the exercise of any power or discretion exercisable by the general trustees shall remain vested in the general trustees, and the custodian trustees shall concur in and perform all acts necessary to enable the general trustees to exercise their powers of management or other power or discretion vested in them.

(8) The custodian trustees of a trustee savings bank may sue and be sued by the name of "the Custodian Trustees for the Trustee Savings Bank" without further description, and in all legal proceedings concerning any property of the bank the property may be stated to be the property of the custodian trustees of the bank:

Provided that nothing in this section shall affect any proceedings by or against or relating to the property of a trustee savings bank, which are pending at the time of the first appointment of custodian trustees for that bank.

(9) The Commissioners shall in respect of each trustee savings bank keep a register of the custodian trustees of the bank, and shall enter in the register the date of the appointment of each custodian trustee and, on his vacating office, the date on which he vacates office.

(10) A certificate purporting to be signed by the Comptroller-General or Assistant Comptroller of the National Debt Office to the effect that the persons named in the certificate were on any specified date custodian trustees of a trustee savings bank or that any property mentioned in the certificate was, at the date of the first appointment of custodian trustees for a trustee savings bank, held by a person named in the certificate in trust for that bank shall be conclusive evidence for all purposes of the facts stated in the certificate.

(11) The general trustees of every trustee savings bank shall forthwith, after the appointment of custodian trustees, send to the Commissioners such particulars as the Commissioners may require for the purposes of the last two foregoing subsections, and thereafter shall from time to time send to the Commissioners such particulars as the Commissioners may require for the purposes of the said register.

(12) Any person acting in pursuance of any such certificate shall not by reason only of anything contained therein be affected with notice of any trust or of the fiduciary character of the persons named therein or of any fiduciary obligation attached to the holding of any property.

Power to buy and sell property.

10.—(1) The trustees of a trustee savings bank shall have power, with the consent of the Commissioners, to purchase land or erect buildings for the purposes of the bank, and with the like consent to sell, exchange or lease any land or buildings acquired for the purposes of the bank, or any part of such land or buildings.

(2) No purchaser, assignee or tenant shall be bound to inquire as to the authority for, or consent of the Commissioners to, any sale, exchange or lease under this section and the receipt of the custodian trustees for the time being shall be a discharge for all moneys accruing from or in connection with such a sale, exchange or lease.

(3) The said moneys shall be accounted for, and the balance, after deducting the amount of any necessary expenses incurred

by the trustees in connection with the sale, exchange or lease, shall be paid over to the Commissioners to be dealt with by them in accordance with the provisions of this Act relating to the separate surplus fund.

(4) Any conveyance, lease, deed, act or thing executed, made or done by such trustees for giving legal effect to any such sale, exchange or lease shall be valid and effectual to all intents and purposes.

(5) A certificate signed by the Comptroller-General of the National Debt Office stating that a purchase of land has been made with the consent of the Commissioners and with the money belonging to a trustee savings bank shall be conclusive evidence thereof for all purposes.

(6) In this section the expression " land " includes hereditaments and chattels real and in Scotland heritable subjects of any description.

Distinction between ordinary deposits and sums received for special investment

Ordinary deposits and special investments.

11.—(1) Save as otherwise provided by this Act, all sums of money deposited with the trustees of a trustee savings bank shall be invested with the Commissioners in accordance with the provisions of this Act in that behalf.

(2) Notwithstanding the provisions of subsection (1) of this section, the trustees of a trustee savings bank may under the conditions laid down by the following provisions of this Act, and if the rules of the bank so provide, receive any sum of money from a depositor and apply it in any other manner for the benefit of the depositor.

(3) Deposits for investment under subsection (1) of this section are in this Act referred to as " ordinary deposits " and the investment of money received under subsection (2) of this section is in this Act referred to as " special investment ".

Ordinary deposits

Limits on amount of ordinary deposits.

12.—(1) The Treasury may by order limit the amount which may be received by a trustee savings bank from any person whatsoever by way of ordinary deposit either in any one year or in the aggregate.

(2) An order under this section—

(*a*) may fix different limits as respects different classes of persons,

(*b*) may provide that any limit fixed by the order shall have effect subject to any exceptions or exclusions specified in the order,

(*c*) may contain special provisions with respect to depositors whose deposits, at the date on which the order takes effect, exceed the limit fixed by the order as respects deposits,

(*d*) may contain such consequential and supplemental provisions as appear to the Treasury to be necessary for giving full effect to the order,

(*e*) may be revoked or varied by a subsequent order, and

(*f*) shall have effect as if enacted in this Act.

(3) The power to make orders conferred by this section shall be exercisable by statutory instrument and a draft of every statutory instrument made under that power shall be laid before Parliament.

Payment of interest on ordinary deposits.

13.—(1) The interest payable to depositors by the trustees of a trustee savings bank in respect of ordinary deposits shall not exceed the rate of two pounds ten shillings per centum per annum.

(2) The said interest shall be computed half yearly to the twentieth day of May and the twentieth day of November, or yearly to the twentieth day of November in each year, as the case may be, and to no other period.

(3) The trustees and managers of a trustee savings bank may direct that all interest payable to the depositors in the bank shall yearly or twice in each year, be carried to the credit of the respective depositors and become principal and carry interest like other principal moneys.

Transfer of deposits to other trustee savings banks.

14.—(1) A depositor in a trustee savings bank who desires to transfer an ordinary deposit belonging to him to another trustee savings bank shall, on application to the first bank, be furnished with a certificate stating the whole amount due to him, with interest and thereupon his account at that bank shall be closed.

(2) When the certificate has been delivered to the trustees or managers of the other bank and the depositor has signed the declaration required in the case of a new depositor, they shall forthwith open an account for the amount stated in the certificate, and the amount so stated shall, upon the certificate being forwarded to the Commissioners, be transferred in the books of the Commissioners from the first bank to the other bank.

(3) In subsection (1) of this section, the second reference to a trustee savings bank shall include a reference to a trustee savings bank in the Republic of Ireland.

Sums received for special investment

Limits on sums which may be received for special investment.

15.—(1) The Treasury may by order under this section limit the amount which may be received by a trustee savings bank from any person for special investment either in any one year or in the aggregate.

(2) An order under this section—

(*a*) may fix different limits as respects different classes of persons,

(*b*) may provide that any limits fixed by the order shall have effect subject to any exceptions or exclusions specified in the order,

(*c*) may contain special provisions with respect to persons to whose credit there stand, at the date on which the order takes effect, amounts exceeding the limit fixed by the order,

(*d*) may contain such consequential and supplemental provisions as appear to the Treasury to be necessary for giving full effect to the order, and

(*e*) may be revoked or varied by a subsequent order.

(3) The power to make orders conferred by this section shall be exercisable by statutory instrument, and a draft of every statutory instrument made under that power shall be laid before Parliament.

Other restrictions on special investments.

16.—(1) A special investment shall not be made on behalf of any person unless he is at the time of the making of the investment a depositor in the bank to the extent of not less than fifty pounds:

Provided that nothing in this subsection shall prevent the continuance of special investments on behalf of a person who was before the third day of July, eighteen hundred and ninety-one (being the date of the passing of the Savings Banks Act, 1891) a depositor under section sixteen of the Trustee Savings Banks Act, 1863 (being the section which then authorised the making of special investments).

(2) The rules of a trustee savings bank making special investments shall, as respects those investments, provide that the trustees shall have power to demand at least one month's notice in advance of any repayment, of whatever amount, required by a depositor.

(3) The trustees of a trustee savings bank making special investments shall cause to be printed, in the pass-books in use for the purpose of special investments, a notice stating that the security of any special investment is not in any way guaranteed by the Government.

General provisions as to deposits

Prohibition on making a deposit in more than one bank.

17.—(1) Subject to the provisions of this section, it shall not be lawful for a person—

(*a*) who has made a deposit in a trustee savings bank, or

(*b*) who is entitled to any benefit from the funds of a trustee savings bank, not being a benefit derived solely as personal representative of a deceased depositor,

to make a deposit in another trustee savings bank.

(2) If a person at any time has a deposit in more than one trustee savings bank, he shall be liable to forfeit any amount illegally deposited, either as to the whole thereof, or to such extent as the Commissioners may think just in the circumstances of the case, and any money so forfeited shall be paid to the Commissioners and applied to the reduction of the National Debt.

(3) Where a bank has suspended payment, nothing in this section shall prevent a depositor in that bank from subsequently opening or having an account in another bank.

(4) Nothing in this section shall prevent a friendly society from having deposits in more than one bank.

(5) Nothing in this section shall prevent a depositor from belonging to or being interested in the funds of any friendly society or charitable institution or penny savings bank which has invested its funds in a trustee savings bank.

(6) Nothing in this section shall prevent a depositor, having closed his account in a bank, from making a deposit in another bank.

Particulars to be disclosed by a depositor.

18. No sum shall be paid into a trustee savings bank by a person by ticket or number or otherwise, without disclosing his name together with his profession, business, occupation or calling, and residence, all of which shall be entered in the books of the bank.

Power to relax requirements of rules as to receipt and repayment of deposits.

19.—(1) The Commissioners may, in the case of any trustee savings bank, authorise the receipt and repayment of deposits in accordance with arrangements approved by the Inspection Committee.

(2) Where any such authority is given, deposits may be received and repaid accordingly, notwithstanding anything in the rules of the bank and in particular notwithstanding anything included therein by virtue of paragraph 2 of the First Schedule to this Act or by virtue of the provision in paragraph 9 of that Schedule for the presence of a second party in every transaction when money is paid or received.

20.—(1) If a dispute arises between the trustees and managers of a trustee savings bank and— Settlement of disputes.

(*a*) an individual depositor, or

(*b*) a person who is or claims to be the personal representative or next of kin or creditor of a depositor, or the trustee in bankruptcy or assignee of a depositor who is bankrupt or insolvent, or

(*c*) a person who claims to be entitled to money deposited in the bank,

the matter in dispute shall be referred in writing to the Registrar.

(2) Upon the reference of the dispute the Registrar shall have power to proceed ex parte on giving notice in writing to the trustees of the bank left at, or sent by post to, the office of the bank.

(3) Any award, order or determination made by the Registrar shall be binding and conclusive on all parties and shall be final to all intents and purposes, without any appeal.

(4) On a reference under this section the Registrar may inspect any books belonging to the trustee savings bank relating to the matter in dispute, and may administer an oath to any witness appearing before him.

(5) The powers and duties of the Registrar under this section, except so far as relates to disputes between the trustees and managers of a trustee savings bank and a depositor or a person claiming through or under a depositor, may be transferred to and vested in such persons as the Treasury may by statutory instrument appoint.

21.—(1) Regulations may be made by the Treasury with the concurrence of the Commissioners prescribing what declarations shall be required from a depositor on opening an account in a trustee savings bank. Regulations as to deposits.

(2) The Treasury shall make regulations for the purpose of extending to trustee savings banks any regulations made with respect to the post office savings bank 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 persons 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.

(3) Regulations under this section may also provide—

(*a*) for the addition of one or more names to an account already in a trustee savings bank,

(*b*) for the nomination by a depositor not being under sixteen years of age of any person or persons to whom any sum or sums payable to the depositor at his decease (including any portion of any savings bank annuity or accrued interest payable to the representatives of the depositor) is or are to be paid at his decease,

(*c*) for the manner in which any such nomination may be revoked by the depositor, and for the circumstances in which it is to be treated as having ceased to be operative and for the payment of the specified amount to any nominee so nominated,

(*d*) for directing that any person acting as witness to a nomination shall be disqualified from taking thereunder,

(*e*) for authorising the trustee savings bank to treat as a depositor in the bank any person named as a nominee in any nomination who dies after the death of the nominator, but before receiving payment of the sum to be paid to him under the nomination,

(*f*) for providing that where any person to whom any sum, being the whole or any part of the deposit of a deceased depositor, is payable is unable by reason of any incapacity whatsoever to give a legal discharge therefor, the sum may be paid to any person undertaking to maintain the incapacitated person.

(4) The Treasury may make regulations applying to trustee savings banks, with or without modifications, the provisions of any regulations made with respect to the post office savings bank so far as those regulations provide—

(*a*) for prescribing the means by which particular facts may be proved and the mode in which evidence thereof may be given, and for authorising proof of any particular facts given in the manner prescribed by the regulations to be treated as conclusive evidence of those facts for the purpose of the payment or transfer of any sum;

(*b*) for authorising the Postmaster-General for the purpose of the payment or transfer of any sum to treat any person as having been domiciled in the place in which he is resident at the date of his death;

(*c*) for directing that, except as provided by the regulations, no entry with respect to any trust, express, implied or constructive, shall be made in the account of any depositor, and that except as aforesaid no notice of any such trust shall be receivable by the Postmaster-General;

(*d*) for determining the date on which a deposit is to be deemed to be withdrawn, and for prescribing the method by which payment of sums withdrawn is to be made.

(5) Where the sum in a trustee 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 section 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 that sum may be paid or distributed to or among the persons appearing in manner provided by the regulations to be beneficially entitled to the personal estate of the 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 the 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 a payment shall be discharged from all liability in respect of the sum paid in accordance with the said regulations.

(6) Regulations under this section shall have effect as if enacted in this Act and the power of making such regulations shall be exercisable by statutory instrument a draft of which shall be laid before Parliament.

Deposits by trustees.

22.—(1) The trustees and managers of a trustee savings bank may accept a deposit from a person acting as trustee on behalf of a depositor whether the trustee is himself a depositor in another trustee savings bank or not but the trustee shall on behalf of the depositor make the declaration required in the case of a person making a deposit on his own account.

(2) All deposits made by such a trustee as aforesaid shall be entered in the books of the trustee savings bank in the joint names of the trustee and of the person on whose account the sum is deposited.

(3) Repayment of a deposit under this section, or of part of such a deposit, shall not be made without the receipt of the said trustee and of the person on whose account the deposit

was made, or of the survivor or the personal representative of the survivor, either in person or by agent appointed by power of attorney, and such a receipt shall alone be a good and valid discharge to the trustees and managers of the bank:

Provided that if it is shown to the satisfaction of the trustees and managers that the person on whose account the deposit was made is of unsound mind, repayment may be made to the said trustee.

(4) A power of attorney shall be valid for the purposes of this section if executed by an infant of or exceeding the age of fourteen years.

(5) An abstract of the provisions of this section shall be included as one of the rules of every trustee savings bank.

Payments to persons under 21.

23. Where a deposit has been made in a trustee savings bank by or for the benefit of a person under twenty-one years of age it shall be lawful for the trustees or managers of the bank to make a payment to that person in respect thereof and his receipt shall be a sufficient discharge notwithstanding his incapacity or disability in law to act for himself.

Investments by charitable societies, etc., in trustee savings banks

Deposits by charitable societies etc.

24.—(1) The trustees or treasurers of any charitable or provident institution or society, or charitable donation or bequest for the maintenance, education or benefit of the poor, or of any penny savings bank, may invest the funds of the institution or society in the funds of a trustee savings bank.

(2) Where a payment is made by a trustee savings bank to a trustee, treasurer or other officer of such a charitable or provident institution or society as aforesaid, or of a friendly society or penny savings bank, who is apparently authorised to require that payment, his receipt shall be a sufficient discharge and the trustee savings bank and its trustees, managers and officers shall not be responsible for any misapplication or for any want of authority of the person requiring or receiving the payment.

(3) No person who is a member of any such charitable institution as aforesaid or of any friendly society or penny savings bank shall, by reason of being a depositor in a trustee savings bank, be considered as subject or liable to any penalty, forfeiture or disability declared or expressed, or intended so to be, by or in the rules, orders or regulations of the institution or society or penny savings bank.

(4) It is hereby declared that nothing in this section is to be construed as imposing any obligation on a trustee savings bank as respects their receiving any funds.

Investments by trustee savings banks

Investments by trustee savings banks.

25.—(1) Subject to the following subsections of this section and to any other provision of this Act, the sums of money belonging to a trustee savings bank which the trustees of the bank are authorised to invest under this Act or under any rules of the bank shall be invested under the next following section and shall not be invested in any other manner.

(2) Subsection (1) of this section shall not apply to such sums of money as necessarily remain in the hands of the treasurer of the bank to answer the exigencies of the bank.

(3) Subsection (1) of this section shall not prevent a depositor from withdrawing any sum of money deposited by him and investing it in any other manner.

The Fund for the Banks for Savings

Investment in Fund for the Banks for Savings.

26.—(1) There shall be an account raised in the name of the Commissioners in the books of the Banks of England and Ireland respectively, called the Fund for the Banks for Savings.

(2) The sums of money which the trustees of a trustee savings bank are by the last foregoing section to invest under this section shall be paid into the said Fund:

Provided that—

(*a*) before a payment is made the persons applying to make the payment shall produce to the officer of the Commissioners at their office in London or elsewhere a declaration by one trustee of the bank that the sums of money belong exclusively to the bank for which the payment is intended to be made and an order signed by one of those trustees; and

(*b*) not less than fifty pounds shall be paid in on any one occasion.

(3) If any declaration or order produced to the officer of the Commissioners under this section contains any thing which is false or untrue, the sum paid under the declaration or order shall be forfeited to the Commissioners.

Issue of interest-bearing receipts.

27.—(1) The officer of the Commissioners shall have power to issue a receipt signed by a cashier of the Bank of England or the Bank of Ireland, as the case may be, in respect of a payment under the last foregoing section.

(2) The receipt shall carry interest from the day of payment at such rate not being less than two pounds fifteen shillings per cent. per annum and not exceeding two pounds seventeen shillings and six pence per cent. per annum as the Treasury may fix by order.

The power of making orders under this subsection shall include power to vary or revoke an order and shall be exercisable by statutory instrument, subject to annulment in pursuance of a resolution of either House of Parliament.

(3) The said interest shall be payable together with the principal at the Banks of England and Ireland respectively in accordance with the provisions of this Act relating to the withdrawal of sums from the said Fund; and the principal and interest of all sums mentioned in any receipt shall be charged on all money in the said Fund and on any moneys produced by the sale of any securities standing to the credit of the said Fund.

(4) The receipt shall be in such form as the Commissioners may direct.

(5) No fraction of a penny shall be allowed or paid under this section as interest on a receipt.

Money belonging to branch banks.

28. Where a trustee savings bank has a branch bank in the neighbourhood, and the branch bank by their treasurer pays any sum into the trustee savings bank as a central bank, the trustees of the said central bank, or any two of them, may pay into the Bank of England or the Bank of Ireland, as the case may be, under the foregoing sections, along with the moneys belonging to the central bank, any sums of money belonging to the branch bank.

Crediting of interest to trustee savings bank.

29.—(1) The officer of the Commissioners shall calculate, as respects any receipt issued under section twenty-seven of this Act, the interest due on the twentieth day of November and the twentieth day of May in every year and that interest shall be placed to the credit of the savings bank in question within six weeks from the said day of November or May.

Provided that no interest shall be calculated on any fraction of a pound of the half-yearly balance standing in the Fund for the Banks for Savings on account of any trustee savings bank on the said day of November or May.

(2) The said interest shall from the said day of November or May become principal and carry interest as if it were principal money paid into the said Fund on account of the trustee savings bank.

(3) Within sixty days from the said day of November or May the officer of the Commissioners shall issue a receipt signed by him for the amount of the interest so credited as if that amount had been a payment made by the trustees of the bank to the said Fund.

(4) The receipt shall be dated the twenty-first day of November or the twenty-first day of May, as the case may be, and shall be in a form approved by the Commissioners.

Withdrawals from Fund.

30.—(1) The Commissioners with the concurrence of the Treasury may by statutory instrument make regulations—

(*a*) as to the manner in which any sums payable by the Commissioners in respect of the draft of trustees of a trustee savings bank may be paid and the manner in which a valid discharge is to be given to the Commissioners for any such payment,

(*b*) for crediting instead of paying the interest due in respect of any sums so paid.

(2) Payments made and discharges given in accordance with regulations under the foregoing subsection shall be valid, notwithstanding anything in this or any other Act.

(3) The Second Schedule to this Act (Part I of which contains further provisions for enabling trustee savings banks to withdraw money from the Fund for the Banks for Savings and Part II of which contains provisions for borrowing on the security of Exchequer Bills to meet such withdrawals) shall have effect as respects such withdrawals by trustee savings banks but subject to the foregoing subsections of this section.

Interest on sums withdrawn by banks.

31.—(1) Where any sum is debited to the account of a trustee savings bank in the books of the Commissioners otherwise than in pursuance of a draft of the bank, the Commissioners shall pay or credit to the bank interest on that sum up to the day immediately preceding the date of the debit.

(2) Where, under the foregoing subsection or under regulations made in pursuance of the last foregoing section as respects interest where sums are debited in pursuance of a draft of the bank, interest is credited to a trustee savings bank on the occasion of a debit being made to the account of that bank, the interest credited shall not itself carry interest until the twenty-first day of November or the twenty-first day of May next following the date as at which the interest is credited.

Management of Fund for the Banks for Savings

Investment of money in Fund.

32.—(1) The Commissioners, subject to reserving such sums as they think fit, shall invest money paid into the Fund for the Banks for Savings—

(*a*) in Parliamentary securities created or issued under the authority of an Act of Parliament where those securities are securities for the interest on which provision is made by Parliament or are securities directly chargeable on the Consolidated Fund of the United Kingdom, or

(*b*) in stock or debentures or other securities expressly guaranteed by authority of Parliament or the due payment of the interest on which is expressly guaranteed by authority of Parliament, or

(*c*) in securities which are issued in respect of a loan raised by the Government of Northern Ireland or securities the interest on which is for the time being guaranteed by the Parliament of Northern Ireland, or

(*d*) in Exchequer Bills.

(2) The interest on such investments shall also be invested under this section.

Power to hold cash balance in Bank of Ireland.

33. Notwithstanding the provisions of the last foregoing section, the Commissioners may, in accordance with arrangements made by them with the Bank of Ireland, pay any sums of money into the Bank of England to be placed to the credit of the Fund for the Banks for Savings in the Bank of Ireland, and those sums shall be applied as if they had originally been paid into the said Fund in the Bank of Ireland under section twenty-six of this Act.

Annual account as between Commissioners and trustee savings banks.

34.—(1) The Commissioners shall annually make out an account with respect to the year ending on the twentieth day of November,—

(*a*) showing on the one side the interest accrued from the securities standing to the credit of the Fund for the Banks for Savings, and

(*b*) showing on the other side the interest paid and credited to trustee savings banks.

(2) The account shall be laid before both Houses of Parliament on or before the last day of July after the end of the year for which it is made, if Parliament be then sitting, or if not, within one week after the then next meeting of Parliament.

Certain expenses to be defrayed out of surplus income of the Fund.

35.—(1) The Commissioners shall in every year, out of the amount by which the gross amount of the interest accrued during the preceding year on the securities standing to the credit of the Fund for the Banks for Savings appears by the account under the last foregoing section to have exceeded the gross amount of

interest paid and credited in that year to trustee savings banks, apply, in accordance with the directions of the Treasury, such sum as the Treasury may from time to time authorise towards defraying—

(*a*) in the first place, the expenses incurred by the Inspection Committee in the exercise of any powers conferred by this Act,

(*b*) in the second place, the expenses incurred by the Commissioners in the execution of this Act.

(2) For the purposes of this section the expenses incurred by the Commissioners in the execution of this Act shall be deemed to include—

(*a*) such sum as, in the opinion of the Treasury, approximately represents the amount in each year of the accruing liability in respect of the benefits for which any officers or persons employed by the Commissioners in the execution of this Act will on their retirement become eligible under the Superannuation Acts;

(*b*) such proportion of the salary, or of the said accruing liability in respect of superannuation benefits, of any officer or person who is so employed in part only in the execution of this Act as, in the opinion of the Treasury, is attributable to the execution of this Act;

(*c*) any capital expenditure incurred in providing premises wholly used by the Commissioners for the purposes of this Act and such part of any such expenditure incurred in providing premises partly used as aforesaid as was, in the opinion of the Treasury, incurred for those purposes;

(*d*) in the case of any premises occupied by the Commissioners wholly or partly for the purposes of this Act and in respect of which no rent is payable, such an amount as is estimated by the Treasury to represent the rental value of the premises or of that part of the premises used for the said purposes, after allowing for any capital expenditure incurred as aforesaid which has been charged to the said Fund.

(3) If in any case where any capital expenditure incurred as aforesaid has been charged to the said Fund, the premises in respect of which the expenditure was incurred are sold or cease to be used for the said purposes, there shall be deducted from the amount thereafter chargeable to the said Fund such sum as may be determined by the Treasury to represent the then value of the premises or of that part of the premises which was used for the said purposes.

Adjustment of balances.

36.—(1) Where the annual account mentioned in the last but one foregoing section shows that in the year for which the account is made up the gross amount of interest accrued from the securities standing to the credit of the Fund for the Banks for Savings exceeded—

(*a*) the gross amount of interest paid and credited during the year to trustee savings banks in pursuance of this Act, together with

(*b*) a sum, to be determined by the Treasury, to provide against the depreciation in the value of the securities, and

(*c*) any amount applied under subsection (1) of the last foregoing section,

the Commissioners shall, within three months after the account is laid before Parliament, cause the amount of the surplus to be paid out of the said Fund into the Exchequer in such manner as may from time to time be agreed on between the Treasury and the Commissioners.

(2) Where the said account shows that, with respect to the year for which the account is made up, the gross amount of interest accrued from the securities standing to the credit of the said Fund was less than—

(*a*) the gross amount of interest paid or credited to trustee savings banks in pursuance of this Act, together with

(*b*) a sum, to be determined by the Treasury, to provide against the depreciation in the value of the securities, and

(*c*) such of the expenses (including the remuneration of members and officers) incidental to the exercise by the Inspection Committee of the powers conferred on them by this Act as may be sanctioned by the Treasury on the recommendation of the Commissioners, and

(*d*) the expenses incurred by the Commissioners in the execution of this Act,

an amount equal to the deficiency shall, at such times as the Treasury may direct, be paid out of the Consolidated Fund of the United Kingdom or the growing produce thereof and shall be applied in defraying the said expenses of the Inspection Committee and the Commissioners and, so far as not so applied, shall be paid into the said Fund.

The reference in this subsection to the Commissioners' expenses shall be construed in accordance with subsections (2) and (3) of the last foregoing section.

(3) If the Fund for the Banks for Savings is insufficient to meet its liabilities the Treasury may, on being informed thereof by the Commissioners, issue the amount of the deficiency out of

the Consolidated Fund of the United Kingdom, or out of the growing produce thereof; and the Treasury shall certify the deficiency to Parliament.

Annual statement of liabilities of Exchequer to banks.

37.—(1) The Commissioners shall at the close of each year ending on the twentieth day of November prepare a statement showing the aggregate of the liabilities of the Government to trustee savings banks and the nature and amount of the securities held by the Commissioners to meet those liabilities.

(2) The statement so prepared shall be laid before Parliament not later than the last day of June in each year.

The separate surplus fund

The separate surplus fund.

38.—(1) Where the assets of a trustee savings bank arising from ordinary deposits are, after deducting such expenses as the bank think fit, increased by the difference between the interest received and the interest payable to depositors under the rules of the bank, or by any other means, the bank, if the Commissioners so require, shall within six months from the twentieth day of November in each year, ascertain, certify and pay over to the Commissioners the amount of the increase, reserving such part as appears necessary to meet current expenses.

(2) The net amount of the surplus ascertained as aforesaid shall be discharged from the account of the bank standing in the books of the Commissioners; and the Commissioners shall keep a separate and distinct account of that surplus.

Money standing to the credit of a bank in the said account is in this Act referred to as money standing to the credit of that bank in the separate surplus fund.

(3) Subject to the provisions of this Act, the Commissioners shall treat the money standing to the credit of a trustee savings bank in the separate surplus fund in the same manner as other money paid to them under this Act and sums in the separate surplus fund shall carry interest at the same rate as any other sums standing to the credit of the trustee savings bank.

(4) On production to the Commissioners of a certificate in a form approved by them the trustees or managers of a trustee savings bank may withdraw any amount from the sums standing to their credit in the separate surplus fund:

Provided that no application to the Commissioners for a payment from the separate surplus fund shall be entertained without the previous sanction of the Inspection Committee.

(5) The trustees of a trustee savings bank may, for the purposes of purchasing land or erecting buildings under section ten of this Act apply money standing to the credit of the bank in the separate surplus fund, and any money paid over to the Commissioners under subsection (3) of that section shall be placed by them to the credit of the bank in the separate surplus fund.

Special investments

Conditions subject to which a bank may make special investments.

39.—(1) A trustee savings bank may not exercise the power to make special investments unless—

(*a*) it exercised that power before the first day of June, eighteen hundred and ninety-one, or

(*b*) the Commissioners on the recommendation of the Inspection Committee authorise the bank to do so.

(2) Before the Commissioners give their authority under the foregoing subsection, they must be satisfied—

(*a*) that the bank is open daily ; and

(*b*) that it has an aggregate cash liability to its depositors, irrespective of the amount of any special investments, of not less than two hundred thousand pounds.

The Commissioners may withdraw their authority if at any time in their opinion either of these conditions is not for the time being complied with.

(3) Paragraph (*b*) of the last foregoing subsection shall not apply if—

(*a*) the Association concur in the recommendation of the Inspection Committee required under subsection (1) of this section ; and

(*b*) the Commissioners, having regard to the financial position of the bank and of the size and importance of the area served by it, think it expedient in the interests of the depositors of the bank that their authority should be given under that subsection.

(4) The accounts of a trustee savings bank making special investments shall be kept so as to distinguish between the receipts and expenditure on account of special investments and the receipts and expenditure on account of the general business of the bank.

(5) The rules of a trustee savings bank making special investments shall provide to the satisfaction of the Inspection Committee for the audit, examination and publication of the accounts relating to special investments and for the safe custody of the securities held by the bank on account of special investments.

(6) Assets of a trustee savings bank in respect of ordinary deposits shall not be chargeable with any part of the expenditure on account of special investments and, subject to the following provisions of this Act, shall not be liable for any loss or deficiency in respect of special investments.

Commissioners' power of control.

40.—(1) Every trustee savings bank which carries on the business of making special investments shall so far as respects that business be subject to the control of the Commisioners and shall comply with any directions which may from time to time be given by the Commissioners with respect to that business.

If a bank to which any such directions are given neglects or refuses to comply therewith the Commissioners may themselves take the necessary steps for giving effect thereto, and for that purpose may do all such things and exercise all such powers as may be done and exercised by the trustees, managers and other officers of the bank.

(2) Without prejudice to the general power of control given to the Commissioners by the foregoing subsection, the following provisions shall have effect with respect to the special investment business of a trustee savings bank—

(*a*) no money received for investment shall be invested, and no securities held on account of special investments shall be sold, except with the approval of the Commissioners;

(*b*) no change shall be made in the rate of interest allowed to depositors in respect of special investments except with the approval of the Commissioners;

(*c*) the amount to be expended by the bank for expenses of management on account of the special investment business shall not exceed such an amount as may be allowed by the Commissioners;

(*d*) there shall be transmitted to the Commissioners together with the statement required to be transmitted to them under section forty-seven of this Act, a valuation of the securities held by the bank on account of special investments, and for the purpose of the valuation the value of those securities shall be calculated according to the current market price at the date of the valuation, or, in the case of securities for which there is at that date no current market price, shall be taken to be such an amount as the Commissioners fix, having regard to the date of repayment of, and to the rate of interest payable in respect of, the securities.

(3) In this section the expression "special investments" does not include any investment where the bank is not to be liable to repay to the depositor in cash the money received from him and applied in making the investment.

Powers of investing money received for special investment.

41.—(1) Subject to the provisions of this section, money received for special investment shall not be invested—

(*a*) in any manner not authorised by law in the case of investment by trustees, or

(*b*) on mortgage of land or any interest in land, or

(*c*) except so as to become repayable not later than the expiration of one year, or, if the money is invested

in Government securities, three years, from the date of the investment or so as to be repayable on six months or some shorter notice:

Provided that—

(i) paragraph (*a*) of this subsection shall not prevent an investment in any securities issued under the Local Loans Act, 1875, or in loans secured on the security of any local rate levied under the authority of any Act of Parliament by any local authority authorised to borrow money on that security,

(ii) paragraph (*c*) of this subsection shall not apply to an investment where the bank is not to be liable to repay to the depositor in cash the money received from him and applied in making the investment.

(2) Notwithstanding anything in the foregoing subsection or in any other enactment, but subject to any regulations made in that behalf by the Treasury by statutory instrument, the Commissioners may, on the application of the trustees of a trustee savings bank, authorise money received for special investment to be invested—

(*a*) in any such securities as are mentioned in paragraph (*m*) or (*q*) of subsection (1) of section one of the Trustee Act, 1925, or sub-paragraph (6) or (7) of paragraph (*a*) of section ten of the Trusts (Scotland) Act, 1921, being securities which will mature for payment not later than fifteen years after the date of the investment, or

(*b*) in any securities the principal and interest whereof are charged on the Consolidated Fund of the United Kingdom or of Northern Ireland whether directly or by virtue of any guarantee, being securities which will mature for payment not later than forty years after the date of the investment:

Provided that the powers of the trustees of any trustee savings bank as to investment shall be so exercised as to secure that the total cost price of all the securities of the kinds set out in this subsection which are held by them in respect of special investments (excluding securities which could be bought by them under paragraph (*c*) of the foregoing subsection) at no time exceeds fifty per cent. of the total liabilities of the bank in respect of moneys received in respect of special investments.

(3) Notwithstanding anything in the foregoing subsections or in any other enactment, the Commissioners may, on the application of the trustees of a trustee savings bank, authorise all or any of the moneys received by the trustees in respect of special investments to be paid to and received by the trustees of another trustee savings bank for special investment:

Provided that—

(*a*) an application under this subsection shall not be granted if the total liabilities of the bank in respect of money received in respect of special investment exceeds twenty thousand pounds;

(*b*) without prejudice to the generality of the powers conferred by any other provision of this Act on the Commissioners, where an authority has been given under this subsection, the Commissioners may at any time direct the trustees to withdraw the whole or any part of the moneys invested in pursuance of the authority, and it shall be the duty of the trustees to comply with the direction;

(*c*) the total money at any time invested by the trustees of a trustee savings bank with other banks under this subsection shall not be permitted at any time to exceed five thousand pounds.

(4) The trustees of a trustee savings bank shall have power to deposit moneys received by them in respect of special investment in a bank other than a savings bank, either on deposit account or on current account.

Establishment of a guarantee fund to meet deficiencies on special investment accounts.

42.—(1) For the purpose of providing for any deficiency which may arise in respect of special investments made by trustee savings banks, there shall be established a guarantee fund under the control of the Commissioners.

(2) The guarantee fund shall consist of—

(*a*) the reserves both in respect of general business and of special investments of all trustee savings banks which make special investments, and

(*b*) such part of the separate surplus fund as stands to the credit of closed trustee savings banks,

and for the purpose aforesaid the reserves of every such trustee savings bank shall be at the disposal of the Commissioners, and the bank shall comply with any directions given by the Commissioners with respect to those reserves for the purpose of giving effect to the provisions of this section.

(3) If on any valuation of the assets belonging to any bank on account of special investments, it appears that there is a deficiency, that deficiency shall, in the event of the bank being closed or wound up, or discontinuing, with the consent of the Commissioners, the business of making special investments, be

a charge on and be made good out of the guarantee fund, as follows—

(*a*) recourse shall be had in the first instance to the amount standing to the credit of the guarantee fund in respect of the reserves of the bank in question and, so far as that amount is insufficient for the purpose, to the amount standing to the credit of the guarantee fund in respect of the reserves of other banks and to the part of the separate surplus fund standing to the credit of the guarantee fund pari passu, and

(*b*) as between the reserves of a bank in connection with special investments and the reserves of a bank in connection with its general business, recourse shall be had in the first instance to the reserves in connection with special investments, and as between the banks other than the bank in connection with whose account the deficiency has arisen the amount falling to be charged on the reserves of those banks shall be allocated pro rata to those reserves according to their several amounts.

(4) In this section the expression " special investments " does not include any investment where the bank is not to be liable to repay to the depositor in cash the money received from him and applied in making the investment.

Discontinuance of special investment business.

43.—(1) Where a trustee savings bank discontinues the business of making special investments—

(*a*) the like results shall follow as would have followed if, immediately before the discontinuance, every depositor had, in pursuance of a previous notice duly given in that behalf, withdrawn the whole amount which he is entitled to withdraw in respect of special investments and had immediately redeposited the amount withdrawn as an ordinary deposit with the bank, and

(*b*) all assets and liabilities of the bank in respect of the business of making special investments other than its liabilities to depositors, shall be deemed to be assets and liabilities in respect of ordinary deposits, notwithstanding anything in this Act restricting the investment of the funds of any such bank, and

(*c*) the bank shall comply with any directions of the Commissioners as to any of the assets referred to in the last foregoing paragraph,

and, save so far as the contrary is expressly provided by an order under section twelve of this Act, the amounts deemed to be deposited under paragraph (*a*) of this subsection shall be left out of account for the purposes of every order made under that section.

(2) Where a trustee savings bank discontinues the business of making special investments, the assets and liabilities thereof shall be valued as at the date of the discontinuance but without regard to the operation of subsection (1) of this section.

For the purpose of the valuation, the value of any securities shall be calculated according to the current market price at the date of the discontinuance, or in the case of securities for which there is at that date no current market price, shall be taken to be such amount as the Commissioners shall fix, having regard to the date of repayment of, and to the rate of interest payable in respect of, the securities, and the value of any land or buildings shall be taken at such amount as the Commissioners shall fix.

(3) If, on any such valuation, it appears that there is a deficiency, the deficiency shall be made good out of the guarantee fund under subsection (3) of the last foregoing section and, without prejudice to the generality of the provisions of that subsection, the deficiency, if and so far as it exceeds the reserve of the bank in respect of ordinary deposits, shall be made good to the bank out of that fund.

(4) If, on any such valuation as aforesaid, it appears that there is a surplus, an amount equal to the surplus shall be carried to the separate surplus fund and be treated as an amount standing to the credit of a closed trustee savings bank, and the bank shall have no claim to the principal thereof or any interest thereon.

(5) Where a trustee savings bank carrying on the business of making special investments is wholly closed or is ordered to be wound up, the bank shall for the purpose of this section be deemed to have discontinued the business of making special investments immediately before the closing or the commencement of the winding up, as the case may be.

(6) In this section the expression " special investments " does not include any investment where the bank is not to be liable to repay to the depositor in cash the money received from him and applied in making the investment.

Power to borrow on security of special investment funds.

44. The trustees of a trustee savings bank may, with the approval of the Commissioners, borrow, whether by way of temporary loan or of overdraft from bankers or otherwise, on the security of the funds, or any part of the funds, held on account of special investments:

Provided that the reference in this section to special investments does not include any investment where the bank is not to be liable to repay to the depositor in cash the money received from him and applied in making the investment.

Purchase of property out of special investment surplus.

45.—(1) The trustees of a trustee savings bank may, with the consent of the Commissioners, apply a part of the surplus capital held by the bank on account of special investments towards the purchase of land or the provision of buildings for the purposes of the bank under section ten of this Act:

Provided that—

(*a*) the Commissioners shall not give their consent in any case if the amount proposed to be applied would, when added to any sums already applied under this section (excluding sums applied towards the purchase of any land or the provision of any buildings which have been sold) exceed twenty per cent. of the surplus capital as shown on the last annual valuation;

(*b*) all moneys accruing from or in connection with the sale, exchange or lease of any land purchased or buildings provided under this section, or of any part of such land or buildings, shall be invested by the trustees as if they were moneys received for special investments.

(2) The value of any land purchased or buildings provided under the provisions of this section shall be taken at such an amount as the Commissioners may from time to time fix and shall be included in the annual valuation.

(3) In this section the expression "annual valuation" means a valuation required to be made under paragraph (*d*) of subsection (2) of section forty of this Act, and the expression "surplus capital" means the amount by which the value of the assets held by a bank on account of special investments at the date of the annual valuation is found on that valuation to exceed the aggregate liability of the bank on account of or in connection with special investments.

Returns and accounts to be prepared by trustee savings banks

Weekly returns.

46. The trustees and managers of every trustee savings bank shall transmit weekly returns to the Commissioners, in such form and giving such particulars as the Commissioners may direct, showing the amounts of the week's transactions of the bank and the amount of the cash balances in the hands of the treasurer or any other person on account of the bank.

Annual statements.

47.—(1) The trustees and managers of every trustee savings bank shall annually prepare a general statement of the sums standing to the credit of the bank in the books of the Commissioners up to the twentieth day of November in each year, and of expenses incurred.

(2) The said annual statement shall show the balance or principal sum due to depositors in the bank collectively and identify the persons holding the said balance.

(3) The said annual statement shall contain, or be accompanied by, such particulars with respect to the special investments of the bank as the Commissioners direct.

(4) The said annual statement shall be witnessed by two managers or two trustees, or by one manager and one trustee, of the bank, and shall be countersigned by the secretary or actuary of the bank.

(5) The said annual statement shall be in such form and contain, or be accompanied by, such particulars as the Commissioners direct and shall be transmitted to the office of the Commissioners within nine weeks after the twentieth day of November in each year.

(6) A similar statement shall be transmitted to the Inspection Committee within the said period of nine weeks.

(7) If the said annual statement is not prepared and transmitted to the Commissioners within the said period of nine weeks, the Commissioners, or the Comptroller-General or Assistant Comptroller of the National Debt Office, shall for the information of the depositors forthwith publish in the London Gazette and in any newspapers published in the county in which the bank is established, the name of the bank in default, in such form and words, and under such conditions as the Commissioners or the said Comptroller-General or Assistant Comptroller may think fit.

(8) If it appears in the said annual statement that any money belonging to a trustee savings bank is in the hands of a treasurer or other person, the statement shall be accompanied by a certificate, signed by the treasurer or other person, stating that the money therein mentioned is in his possession.

(9) The trustees and managers of every trustee savings bank shall cause a duplicate of any annual statement under this section, accompanied by a list of the trustees and managers of the bank, witnessed and countersigned in the same manner as the statement, to be publicly affixed and exhibited in some conspicuous part of the office or place where the deposits of the bank are usually received, for the information of all persons making deposits therein, and the duplicate shall remain so affixed and exhibited until the ensuing annual statement is in like manner affixed and exhibited under this subsection.

(10) Every depositor shall be entitled to receive from the bank a printed copy of the annual statement on payment of one penny.

(11) The trustees of a trustee savings bank shall, at the request of the Inspection Committee, supply the Committee with a copy of the said annual statement.

Statements of expenses.

48. The Commissioners or the Comptroller-General or Assistant Comptroller of the National Debt Office may require from the trustees and managers of a trustee savings bank a detailed statement of all the expenses whatever incurred by the trustees and managers in the management of the bank or otherwise.

Supervision of trustee savings banks

Powers and duties of Inspection Committee.

49.—(1) The Inspection Committee may appoint persons to inspect the books and accounts of trustee savings banks, and to examine and ascertain and report to the Committee from time to time with respect to each bank, whether the bank has complied with the requirements of this Act and of the rules of the bank as to the security to be taken from officers, the accounts of the bank and the conduct of its business, and whether any part of the expenditure is excessive or unnecessary; and every trustee savings bank shall give all due facilities for enabling any such inspection or examination to be made.

(2) If on the report of any such person it appears to the Committee that a trustee savings bank has made default in giving such facilities or complying with any of the requirements aforesaid, or that any part of the expenditure of the bank is excessive or unnecessary, the Committee shall call upon the bank to remedy the default, or, as the case may be, to reduce the expenditure within a specified time, and if the default is not remedied or the expenditure is not reduced within that time the Committee shall report the matter to the Commissioners.

(3) Thereupon the Commissioners may at their discretion—

(*a*) close the account of the bank and proceed under section seventy of this Act, or

(*b*) report the matter to the Treasury with a view to action being taken under the next following section,

or adopt both of these courses.

(4) The trustees of every trustee savings bank shall, at the request of the Committee, supply the Committee with a copy of the pass-book in use in the bank, and of the rules of the bank and of any amendments thereof.

(5) If, in the opinion of the Committee, the rules of a trustee savings bank are insufficient for the purpose of maintaining an efficient audit, the bank shall, with all convenient speed, make such additional rules as may, in the opinion of the Committee, be required for the purpose.

(6) If the bank do not, within a time specified by the Committee, from the date of being required to make any such rules, comply with the requirement, the Committee may make the rules, and shall submit the rules so made to the Registrar, to be certified by him; and, when so certified, they shall be binding on the trustees.

(7) The Committee shall annually report their proceedings under this Act to the Commissioners and the report shall be laid before Parliament.

(8) If, on any report of the Inspection Committee, any question arises as to what constitute the necessary expenses of a trustee savings bank within the meaning of section one of this Act, whether involving the withdrawal of any part of the separate surplus fund under subsection (4) of section thirty-eight of this Act or not, the decision of the Commissioners on the question shall be conclusive.

(9) The Committee may, with the approval of the Commissioners, make rules for regulating the duties of persons appointed by the Committee under this section.

Appointment of Commissioner to examine affairs of trustee savings bank.

50.—(1) The Treasury may, if satisfied on the representation either of such number of the depositors in any trustee savings bank as appears to them sufficient, or of the Commissioners, that there is good reason for causing an examination to be made into the affairs of any trustee savings bank, apply ex parte to any judge of the High Court, or to any judge of the Court of Session in Scotland, who, if satisfied that such examination is desirable, may thereupon appoint a master of the Supreme Court or a barrister of not less than seven years standing in England or Northern Ireland, or any advocate of not less than five years standing or writer to the signet of not less than five years standing in Scotland, as a Commissioner to hold a local inquiry into the affairs of that bank, and to report thereon:

Provided that such notice of any representation by depositors under this section shall be given to the trustees of the bank as the Treasury may direct.

(2) Every such Commissioner shall, for the purposes of the examination which he is authorised to conduct, have power—

(*a*) to require by summons under his hand a person to send a written return to any inquiry, or to attend as a witness before him, and to examine any witness on oath, and to require any witness to take an oath and to answer any question; and

(*b*) to require production of all books, papers and documents which appear to him to relate to the affairs of the bank, and the production of which appears to him necessary.

(3) If any person, after having had a tender made to him of the expenses (if any) to which he is entitled, fails, without lawful excuse, to comply with any requirement of the Commissioner under this section, he shall, on summary conviction, for each offence be liable to a fine not exceeding ten pounds.

(4) Every witness shall be allowed such expenses as would be allowed to him when attending to give evidence before any superior court, and in case of dispute the amount shall be referred by the Commissioner to a master or taxing officer of the Supreme Court, or to the Queen's and Lord Treasurer's Remembrancer in Scotland, who, on request under the hand of the Commissioner, shall ascertain and certify the proper amount of the expenses.

(5) The Treasury may, if they think fit, where a representation is made by depositors, require such security for costs to be given as they think proper, but except so far as costs may be recovered under any such security, all costs incurred in or incidental to any proceeding under this section shall be paid out of moneys provided by Parliament.

Amalgamation and mutual assistance

Power to amalgamate.

51.—(1) Any two or more trustee savings banks may, with the assent of the Commissioners, on the recommendation of the Inspection Committee, by special resolution of both or all such banks, become amalgamated together as one bank with or without dissolution or division of the funds and property of the banks, or either or any of them, and all the funds and property of the banks shall become vested in the amalgamated bank without the necessity of any form of conveyance or assignment other than the special resolution for amalgamation.

(2) For the purposes of the amalgamation a special resolution shall mean a resolution passed by not less than three-fourths of the trustees of the bank present at a general meeting of which notice specifying the intention to propose the resolution has been duly given according to the rules, and confirmed by a majority of the trustees present at a subsequent meeting, of which notice has been duly given, held not less than fourteen days nor more than a month from the date of the first-mentioned meeting.

Advances by trustee savings banks for development.

52.—(1) The trustees of a trustee savings bank may, with the approval of the Commissioners, make advances of such amounts, on such terms and conditions and for such period as may be approved by the Commissioners,—

(*a*) to the trustees of another trustee savings bank for the purpose of enabling the operations of that other bank to be extended;

(*b*) to any persons proposing to form a new trustee savings bank for the purpose of providing for expenses incurred or to be incurred in connection with the formation and the initial working of the new bank.

(2) The amount of any advance made by the trustees of a bank under this section shall be defrayed either as part of the current expenses of the bank or, with the sanction of the Inspection Committee, out of any moneys standing to the credit of the bank in the separate surplus fund.

(3) For the avoidance of doubt it is hereby declared that the power conferred by the last foregoing subsection to defray advances as part of the current expenses of the bank includes power to defray advances out of surplus moneys already accumulated, other than moneys standing to the credit of the bank in the separate surplus fund.

(4) The trustees of a trustee savings bank who have made an advance under this section may release the whole or any part of the principal of and interest on that advance.

Grants by trustee savings banks for benefit of other trustee savings banks.

53.—(1) A trustee savings bank may, with the approval of the Commissioners, make a grant to the Commissioners of such amount as may be approved by the Commissioners, to be applied for the benefit of other trustee savings banks.

(2) The Commissioners shall, as part of the Fund for the Banks for Savings, maintain a separate account known as the Mutual Assistance Account, and shall credit to that account any sums granted to the Commissioners under subsection (1) of this section; and the Mutual Assistance Account shall carry the like interest as the account of a trustee savings bank in the books of the Commissioners, and any interest credited to that account shall, for the purposes of the annual account to be prepared by the Commissioners under section thirty-four of this Act, be treated as interest credited to the trustees of savings banks.

(3) The Commissioners, upon the application of the Association, may if they think fit, debit the Mutual Assistance Account with any amount not exceeding that specified in the application, and credit that amount to the account in the books of the Commissioners of any trustee savings banks so specified.

(4) In addition to the power conferred by subsection (1) of this section, a trustee savings bank shall have power, with the approval of the Commissioners, to make direct to another trustee savings bank a grant of such amount and on such conditions as may be approved by the Commissioners.

(5) Any grant made by a trustee savings bank under any of the foregoing provisions of this section may be defrayed either as current expenses of the bank or, with the sanction of the

Inspection Committee, out of moneys standing to the credit of the bank in the separate surplus fund.

(6) For the avoidance of doubt it is hereby declared that the power conferred by the last foregoing subsection to defray grants as current expenses of the bank includes power to defray grants out of surplus moneys already accumulated, other than the moneys standing to the credit of the bank in the separate surplus fund.

(7) The Commissioners may, at the request of a bank which makes a grant under this section, debit that bank's account in the books of the Commissioners with the amount of the grant and credit that amount in those books to the account of the bank to which the grant is to be made, or to the Mutual Assistance Account, as the case may be.

Closing of trustee savings banks

Consent of Commissioners required for closing a bank.

54.—(1) It shall not be lawful for the trustees of a trustee savings bank to close or dissolve the bank or cease to carry on the business of the bank or to carry on business only for the purpose of winding up its affairs unless—

(*a*) the Commissioners consent, or

(*b*) the bank is ordered to be wound up in pursuance of section three hundred and ninety-nine of the Companies Act, 1948, or a corresponding enactment forming part of the law of Northern Ireland.

(2) The consent of the Commissioners under this section shall not be given unless and until they have satisfied themselves, after consultation with the Inspection Committee and the Association, that there are no proper persons able and willing to act as trustees and managers of the bank.

(3) Where the trustees of a trustee savings bank propose to close the bank, they shall give to depositors such notice as the Commissioners may require of the facilities afforded by law to depositors for transferring their deposits to a post office savings bank.

Sale of property on closing a bank.

55.—(1) When a trustee savings bank is finally closed, the trustees, or any two or more of them, shall forthwith notify the Commissioners in writing, and shall, with the consent of the Commissioners, convert into money any property held by the said trustees or by any person as trustee for the bank.

(2) The said trustees, after paying the expenses of the conversion and any claims thereon, shall account for and pay over the residue to the Commissioners.

(3) The Commissioners shall carry the said residue to the separate surplus fund.

(4) The moneys carried on account of each bank to the separate surplus fund under this section shall be subject to any claim that may thereafter be substantiated on account of any depositor in the bank.

(5) The trustees of a bank desiring to close the bank may with the consent of the Commissioners compensate their officers out of money standing to the credit of the bank in the separate surplus fund.

Procedure available on closing a bank.

56.—(1) If the trustees of a trustee savings bank—

(*a*) give public notice of their intention to close the bank by posting a letter to each depositor at his residence when known, and by advertisement in a newspaper circulating in the district where the bank is situated and by affixing notice of their intention to close the bank on the outer door of the building in which the business of the bank is carried on, and

(*b*) transmit to the Commissioners a certified list (signed by two trustees and three managers of the bank) of the depositors who have not applied to them to receive their deposits or for transfer certificates, and of the amount due to them respectively,

the Commissioners may accept from the said trustees all money remaining in the hands of the said trustees or their treasurer.

(2) If the said money with the money belonging to the bank in the hands of the Commissioners, together with the proceeds of sale of other property as referred to in the last foregoing section is sufficient to discharge the whole of the liabilities of the trustees to the depositors, as set out in the said list, the certificate of the Commissioners shall be a sufficient discharge to the trustees in respect of all money so paid over, or in the hands of the Commissioners.

(3) All the said moneys shall be held by the Commissioners, subject to the rights and claims of the depositors named in the list and those depositors shall thereafter be considered to be depositors in a post office savings bank.

(4) The said depositors, on presenting their deposit books at any post office savings bank, shall be entitled to claim payment of the sums due to them respectively, with the interest due to them thereon, and on establishing their claim shall be paid out of the moneys so paid over by the trustees under the last foregoing section and this section and the moneys in the hands of the Commissioners as above referred to.

(5) The surplus of the said moneys, if any, after providing for the sums due to the said depositors, shall be carried to the separate surplus fund in the books of the Commissioners and shall be subject to any claim that may thereafter be substantiated on account of any depositor in the bank.

(6) The trustees shall not close the bank before the expiration of one month from the giving of the notice required by this section.

Officers and employees of trustee savings banks

Security to be given by officers and others.

57.—(1) The following persons, that is to say—

(*a*) every treasurer, actuary or cashier entrusted with the receipt or custody of a sum of money subscribed or deposited for the purpose of a trustee savings bank, or any interest or dividend accruing therefrom, and

(*b*) every officer or other person receiving any salary or allowance for his services from the funds of a trustee savings bank

shall give good and sufficient security to be approved of by not less than two trustees of the bank for the just and faithful execution of his office or trust:

Provided that—

(i) this subsection shall not apply to such persons or classes of persons as the Commissioners may direct, and

(ii) paragraph (*b*) of this subsection shall not apply to supernumerary assistants employed at the periods of balancing the accounts.

(2) The security required by this section shall comprise security in respect of the amount received on account of special investments and the rules of the bank shall provide to the satisfaction of the Inspection Committee for the security in respect of that amount.

(3) The security to be given under this section by an actuary or cashier or officer or other person receiving any salary or allowance for his services shall be either—

(*a*) by bond, with one or more sureties, to the Comptroller General of the National Debt Office; or

(*b*) with the permission of the Commissioners, by the deposit of money or of Government securities or by the bond of a guarantee society; or

(*c*) if the Commissioners and the Inspection Committee approve, by a single bond of a guarantee society guaranteeing all the persons employed by the bank or at any branch thereof who are required to give security,

and where security is given under paragraph (*c*) of this subsection, the annual premium on the bond shall be paid by the trustees of the bank, and the trustees of the bank shall be entitled to recover from each person covered by the bond such proportion of the premium as that person's annual salary bears to the total amount of the annual salaries of the persons covered by the bond.

(4) In case of forfeiture the trustees or managers of the trustee savings bank may sue on the bond in the name of the said Comptroller General, and carry on the proceedings at the costs and charges and on behalf of the bank, fully indemnifying the Comptroller General from all costs and charges in respect of the proceedings.

(5) A bond given under this section shall, when executed, be deposited with the Commissioners and the Commissioners may, on application signed by not less than two trustees in such form as the Commissioners shall direct, deliver up to the bank any such bond deposited with them for the purpose of being cancelled.

Persons failing to account for money received from depositors.

58. If an actuary, cashier, secretary, officer or other person holding a situation or appointment in a trustee savings bank receives any sum of money from or on account of a depositor, or person desirous of becoming a depositor, or on account of the bank, and does not forthwith, or, in the case of local receivers acting on behalf of a trustee savings bank, within the time specified in the rules of that bank, duly account for and pay over the money to the trustees and managers or to such person as may be directed by the rules of the bank, he shall be guilty of a misdemeanour.

Liability of trustees and managers.

59.—(1) No trustee or manager of a trustee savings bank shall be personally liable, except—

(*a*) for money actually received by him on account of or for the use of the bank which is not paid over and disposed of as directed by the rules of the bank,

(*b*) for neglect or omission in complying with the rules required by the First Schedule to this Act to be adopted in the maintenance of checks, the audit and examination of accounts, the holding of meetings and the keeping of minutes of proceedings thereat, or

(*c*) for neglect or omission in taking security under section fifty-seven of this Act from officers.

(2) The reference to any neglect or omission in paragraphs (*b*) and (*c*) of the foregoing subsection shall not include a reference to any act or omission in pursuance of an authority or direction given by the Commissioners under section nineteen of this Act or under the first proviso to subsection (1) of section fifty-seven of this Act.

Recovery of property of a bank from officers.

60.—(1) A person who—

(*a*) holds or receives any part of the money, effects or funds belonging to a trustee savings bank, or

(*b*) is in any manner entrusted with the disposition, management or custody of such money, effects or funds or of

any securities, books or papers, or property relating thereto,

and his personal representative and assigns shall on demand made in pursuance of an order of not less than two trustees and three managers of the bank or at any general meeting of the trustees or managers thereof,—

(i) give in his or their account to the said trustees or managers or general meeting, or to such other person as may be nominated to receive the account, to be examined and allowed or disallowed by the said trustees or managers, and

(ii) pay over all the money remaining in his or their hands and assign and transfer or deliver all securities and effects, books, papers and property in his or their hands or custody to such person as the said trustees or managers may appoint.

(2) Where there is a neglect or refusal to comply with paragraph (i) or paragraph (ii) of the foregoing subsection, the trustees of the bank may apply by petition to the court of quarter sessions having jurisdiction where the bank is established and that court shall proceed in a summary way and, after hearing all parties concerned, make such order as appears to the court to be just.

(3) An order of the court under this section shall be final and conclusive and all assignments, sales and transfers made in pursuance of the order shall be good and effectual in law for all purposes.

Priority of debts owed by bank officers to the bank.

61.—(1) If an officer of a trustee savings bank who is entrusted with the keeping of the accounts or who has in his hands or possession by virtue of his office or employment any money or effects belonging to the bank, or any deeds or securities relating thereto—

(*a*) dies, or

(*b*) becomes a bankrupt or insolvent, or makes any assignment of his lands, goods, chattels or effects for the benefit of his creditors, or

(*c*) has any execution or attachment or other process issued against his lands, goods, chattels, or effects,

his personal representative or, as the case may be, his trustee in bankruptcy or assignee, or the sheriff or other officer executing such process as aforesaid shall, within forty days after demand made by two of the trustees of the bank,—

(i) deliver and pay over all moneys and other things belonging to the bank to such person as the said trustees appoint, and

(ii) pay out of the estate, assets or effects of the said person all sums of money remaining due which he received by virtue of his office or employment, before any other of his debts are paid or satisfied, or, as the case may be, before the money directed to be levied by the said process is paid over to the party issuing the process; and all such estates, assets, lands, goods, chattels, and effects shall be bound to the payment and discharge of the sum of money so remaining due accordingly.

(2) The foregoing subsection, so far as it relates to bankruptcy or the administration of insolvent estates shall not apply in Scotland.

Office of trustee to be vacated for non-attendance at meetings.

62.—(1) If a trustee of a trustee savings bank is absent from all the meetings of the trustees and of the committee of management (if any) held during any period of twelve months ending with the twentieth day of November, and has not during that period performed any of the duties imposed on trustees and managers by paragraph 2 of the First Schedule to this Act, his office as trustee shall at the end of that period become vacant.

(2) The person whose office as trustee so becomes vacant shall not, unless he has before the end of the said period explained to the satisfaction of the Inspection Committee his absence or the non-performance of his duties, be eligible for re-appointment until the expiration of one year from the end of that period, and until he is re-appointed his name shall not be allowed to continue in the list of trustees, but the vacation of his office shall not affect any liability which he may have incurred as trustee before the date at which he vacates office.

(3) Where a vacancy occurs in pursuance of this section, the trustees of the bank shall forthwith send notice of the vacancy to the Commissioners and to the Inspection Committee.

Appointment of auditors.

63. An auditor of a trustee savings bank shall be appointed for a term not exceeding one year, but a retiring auditor shall be eligible for re-appointment.

Superannuation of officers and employees

Superannuation allowances to, and gratuities in case of death of, officers of trustee savings banks.

64.—(1) The trustees of a trustee savings bank may with the consent of the Inspection Committee—

(*a*) grant to an officer of the bank who has served for not less than ten years as an officer of trustee savings banks, and who retires from his office on becoming incapable of discharging the duties thereof by reason of old age or permanent infirmity of mind or body:—

(i) an annual allowance not exceeding one-eightieth of the annual salary and emoluments of

his office for each year of service as such an officer, subject to a maximum of forty-eightieths thereof; and

(ii) an allowance by way of lump sum not exceeding one-thirtieth of the annual salary and emoluments of his office for each year of such service, subject to a maximum of forty-five thirtieths thereof; and

(*b*) grant to the personal representative of any such officer who, after five years' service as such, dies while still employed in the service of the bank, a gratuity of an amount not exceeding the annual salary and emoluments of his office; and

(*c*) grant to the personal representative of any such officer who, after becoming entitled to an annual allowance, dies after he has retired from the service, and in whose case the sums actually received by him at the time of his death on account of the annual allowance together with the sum received by him by way of lump sum allowance are less than the amount of the annual salary and emoluments of his office, a gratuity not exceeding the deficiency.

(2) Any sums payable under this section shall be paid as part of the current expenses of the bank, or with the sanction of the Inspection Committee, out of any moneys standing to the credit of the bank in the separate surplus fund.

(3) An annual allowance under this section shall only be continued so long as, in the opinion of the Inspection Committee, the funds of the bank admit of its payment.

Allocation of part of superannuation benefits to dependants.

65.—(1) An officer of a trustee savings bank who retires from the service of the bank, otherwise than on the ground of ill health, at any time after the coming into operation for that bank of rules under this section shall be allowed to surrender, as from the date of his retirement, such part (not exceeding one-third) of any annual allowance which the trustees of the bank may grant to him under the last foregoing section as may be provided by the rules in return for the trustees granting to the wife or husband, as the case may be, of the officer or to a dependant of the officer a pension, payable from the like source as the said allowance, of such value as according to the tables for the time being in force for the purposes of section two of the Superannuation Act, 1935 (which provides for the allocation of superannuation benefits) is actuarially equivalent, on the

date of the officer's retirement, to the value of that part of the said annual allowance which is surrendered.

(2) Rules under this section may with the approval of the Commissioners be made for any trustee savings bank by the trustees of the bank, and may provide—

(*a*) for the application thereof to officers of the bank generally or to any class of such officers;

(*b*) for the circumstances in which, and the conditions as to proof of good health and other matters subject to which, an officer to whom the rules apply may surrender an allowance in accordance with the foregoing subsection;

(*c*) for the application in relation to any pension granted in return for such a surrender of the provisions of subsection (3) of the last foregoing section subject to such modifications as appear to the trustees requisite for excluding from the application of that subsection so much of a pension as represent deductions in respect thereof made from instalments of the annual allowance of the retiring officer already paid to him.

(3) Any such pension as aforesaid for the benefit of a dependant, not being the spouse of the retiring officer, shall be payable in respect of the period, if any, for which the dependant survives the retiring officer, and any such pension as aforesaid for the benefit of the spouse of the retiring officer shall, according as the retiring officer may in conformity with the rules of the bank under this section elect, be payable either—

(*a*) in respect of the period, if any, for which the spouse survives the retiring officer, or

(*b*) in respect both of the period of their joint lives subsequent to the retirement and of the period, if any, for which the spouse survives the retiring officer,

and the rules may provide that a pension payable thereunder in respect of the periods mentioned in paragraph (*b*) of this subsection shall be paid at one rate in respect of the first of those periods and at a higher rate in respect of the second.

(4) If any person has, in accordance with rules under this section, surrendered part of an allowance, then for the purpose of calculating the amount of any gratuity which may be granted to his personal representative under paragraph (*c*) of subsection (1) of the last foregoing section the sums paid or payable to him at the time of his death on account of the said allowance shall be deemed to be the sums which would have been so paid or payable but for the surrender.

Officers of Inspection Committee.

66.—(1) Subject to the consent of the Treasury given on the recommendation of the Commissioners, the Inspection Committee shall have the same power of granting superannuation allowances and gratuities to officers of the Committee and to the personal representatives of such officers as is by subsection (1) of section sixty-four of this Act conferred on the trustees of a trustee savings bank with respect to officers of the bank and their personal representatives.

(2) The last foregoing section shall apply to the Inspection Committee and officers thereof as they apply to a trustee savings bank and officers thereof, with the substitution for references to the trustees of a trustee savings bank or to such a bank of references to the Committee, and for references to the said section sixty-four, and any provision thereof, of references to that section or provision as applied by the foregoing subsection.

(3) The amounts payable under this section shall, for the purpose of section thirty-five of this Act be deemed to be expenses incurred by the Committee in the exercise of their powers.

Superannuation payments for transferred officers.

67.—(1) Where an officer of the Inspection Committee or the Association has been transferred to service with a trustee savings bank, or an officer of a trustee savings bank or the Association has been transferred to service with the Inspection Committee, then for the purposes of the three last foregoing sections the period of continuous trustee savings bank service of the officer ending with the transfer shall, subject to the provisions of this section, be reckoned as if it were a period of service with the bank or Committee to service with which the officer is transferred.

(2) In this section the expression "trustee savings bank service" means service with any trustee savings bank institution, that is to say, any trustee savings bank, the Inspection Committee or the Association, and trustee savings bank service shall be treated as continuous if interrupted only on transfer from one trustee savings bank institution to another.

(3) In respect of the transfer of an officer of a trustee savings bank to service with another such bank or the Inspection Committee or the Association, or of an officer of the Committee to service with a trustee savings bank or the Association, the trustees of the bank from service with which he is transferred or the Committee, as the case may be, may, with the approval of the Commissioners, pay to the bank, Committee or Association to service with which the officer is transferred such amount as may with the like approval be determined by the trustees or Committee making the payment to represent the superannuation value, at the date of the transfer, of the continuous trustee savings bank service of the officer ending with that date.

Any payment under this subsection by trustees or the Inspection Committee may be defrayed in the like manner as sums payable by the trustees or Committee under the three last foregoing sections.

(4) No payment shall be made—

(*a*) by the trustees of a trustee savings bank under the said sections by reference to previous service of an officer of the bank with the Inspection Committee or the Association, or

(*b*) by the Inspection Committee under the said sections by reference to previous service of an officer of the Committee with a trustee savings bank or the Association,

unless on the transfer of the officer in question to service with the bank or the Committee, as the case may be, payment was made to them in respect of the officer by the bank, Committee or Association from service with which the officer was transferred of an amount equal to the superannuation value, at the date of the transfer, of the said previous service.

(5) For the purposes of this section, the superannuation value, at the date of any transfer, of any service of a transferred officer shall be an amount, calculated in accordance with rules for the purposes of this section made by the Commissioners by statutory instrument, equivalent to the actuarial value at that date of the superannuation benefits, so far as attributable to the service in question, which would be payable in respect of him if he continued to serve with the bank, Committee or Association from service with which he is transferred at the remuneration payable to him immediately before the transfer until his trustee savings bank service was terminated by death or retirement.

Establishment of superannuation reserves.

68.—(1) The trustees of a trustee savings bank, or of two or more such banks acting jointly, may, with the approval of the Inspection Committee and in accordance with rules made by the trustees with the consent of the Commissioners, establish a reserve fund to be known as the superannuation reserve; and where such a reserve has been established any superannuation payment falling to be made by the trustees of the bank, or of any of the banks, for which the reserve was established shall, in such cases and to such extent as may be provided by rules under this subsection be defrayed out of the superannuation reserve instead of being defrayed in the manner provided by the foregoing provisions of this Act.

In this section the expression "superannuation payment" means a payment under the four last foregoing sections.

(2) Rules made as aforesaid shall provide for the source from which and the manner in which the trustees shall make payments to the superannuation reserve, and for the application of the assets thereof otherwise than in defraying superannuation payments either where it is determined in accordance with the rules that the assets of the superannuation reserve exceed the amount likely to be required for defraying such payments or in the event of the winding up of the bank, or of any of the banks, for which the reserve was established, or in such other circumstances as may be provided by the rules; and—

(*a*) save as may be provided by the rules the assets of the superannuation reserve shall not be applicable except for the purpose of defraying superannuation payments and any expenses of managing the reserve, and

(*b*) subsection (3) of section sixty-four of this Act shall, notwithstanding anything in that subsection or in rules made under section sixty-five of this Act, not apply to so much of any superannuation payment as is payable out of the superannuation reserve.

(3) The assets of any superannuation reserve established under this section shall be invested with the Commissioners on the same terms and in the like manner as assets of the bank in question which are invested with the Commissioners in pursuance of section twenty-six of this Act.

(4) The Commissioners, after consultation with the Inspection Committee, may require any trustees to amend rules made by them for the purposes of this section in such manner as the Commissioners may specify, and if it appears to the Commissioners that the trustees have failed within a reasonable time to comply with any such requirement the Commissioners may direct that the rules shall have effect as if amended in accordance with the requirement.

(5) Rules under this section may contain such incidental and supplementary provisions as appear requisite for the purposes of this section.

(6) Where superannuation reserves have been established, whether jointly or separately, for two or more trustee savings banks, the reserves may, with the approval of the Commissioners, be amalgamated on such terms as to the making of payments out of the amalgamated reserves as may be agreed between the trustees of the banks in question, and where superannuation reserves have been amalgamated in pursuance of this subsection, they shall be treated as if they were a single superannuation reserve established by the said banks acting jointly, and the foregoing provisions of this section shall apply accordingly.

Establishment of contributory superannuation funds.

69.—(1) The trustees of a trustee savings bank, or of two or more such banks acting jointly, may in accordance with rules made by them with the consent of the Commissioners establish a contributory superannuation fund, to be vested in trustees appointed in accordance with the rules, to which contributions shall be made, of such amounts and payable at such times and in such manner as may be provided by the rules,—

(*a*) by the persons for whom provision can be made out of the fund and who are employed in the service of the bank or banks by whom the fund is established;

(*b*) by the trustees of the said bank or banks, from such source as may be provided by the rules.

(2) The assets of any fund established under this section shall be applied—

(*a*) in providing, in respect of persons employed in the service of the bank or banks in question or any class of such persons, as may be provided by the rules, benefits of all or any of the descriptions provided for by section sixty-four of this Act, of amounts not exceeding those which could be paid under that section,

(*b*) in repaying, in such cases and to such extent as may be provided by the rules, the amount of contributions made to the fund by persons in the service of the bank, or any of the banks, in question, together with compound interest thereon calculated at such rate and in such manner as may be provided by the rules but subject to the deduction (in so far as the rules so provide) of sums due from such persons to the bank by whom they have been employed,

(*c*) in defraying, in so far as the rules so provide, the cost of payments under subsection (3) of section sixty-seven of this Act,

(*d*) in defraying the expenses of management of the fund:

Provided that where it is determined in accordance with the rules that the assets of the fund exceed the amount likely to be required under the four foregoing paragraphs, or in the event of the winding up of the bank, or of any of the banks, for which the fund was established, or in such other circumstances as may be provided by the rules, the assets shall become applicable in such other manner as may be so specified.

(3) Subsections (3) to (6) of the last foregoing section shall apply for the purposes of this section with the substitution for references to a superannuation reserve of references to a contributory superannuation fund and for references to that section of references to this section.

General default powers of Commissioners

General default powers of Commissioners.

70.—(1) If—

(*a*) the trustees of a trustee savings bank neglect or refuse to obey any orders or directions given by the Commissioners, whether or not through their officers, in pursuance of this Act; or

(*b*) default is made in complying with the requirements of section five of this Act as respects any trustee savings bank; or

(*c*) the trustees of a trustee savings bank neglect or refuse to make out and transmit to the Commissioners the annual statement mentioned in section forty-seven of this Act within the period of nine weeks mentioned in that section; or

(*d*) the Inspection Committee have under subsection (2) of section forty-nine of this Act reported to the Commissioners that a trustee savings bank has failed to remedy such a default, or reduce such expenditure, as is mentioned in that section,

the Commissioners may close the account of the trustee savings bank and may direct that no further sum shall be accepted at the Bank of England or at the Bank of Ireland from the trustees of that trustee savings bank to the Commissioners' account until such time as the Commissioners think fit.

(2) After the Commissioners have closed an account under this section, they may, if the trustees of the trustee savings bank comply with the directions of the Commissioners or their officers, re-open the said account and again authorise the acceptance of money at the Bank of England or Ireland; and they may allow the payment of compound interest on the account during the period when it was closed.

Miscellaneous

Accounts to be presented by Commissioners.

71.—(1) The Commissioners shall at the close of each year ending on the twentieth day of November prepare an account with respect to trustee savings banks containing such particulars and in such form as the Treasury may direct.

(2) The account so prepared shall be transmitted to the Treasury as soon as may be after it is made, and shall be laid before Parliament not later than the fifteenth day of February in each year, or, if Parliament be not then sitting, within ten days after the next assembly of Parliament.

Keeping by banks of ledgers, accounts, registers and minute books.

72.—(1) Any ledger, book of account, register or minute book required by any provisions of this Act or by the rules of a trustee savings bank, to be kept by a trustee savings bank, may be kept by making entries in a bound book or by recording the matters in question in any other manner.

(2) Where any such ledger, book of account, register or minute book is not kept by making entries in a bound book but by some other means, precautions shall be taken to the satisfaction of the Inspection Committee for guarding against falsification and facilitating its discovery.

Forms of documents.

73.—(1) The Treasury shall have power, with the concurrence of the Commissioners, to make regulations prescribing the manner in which and the persons by whom any document required by this Act to be used in connection with a trustee savings bank is to be signed or executed and the provisions of this Act with respect to the manner in which or person by whom any particular document is to be signed or executed shall, in so far as they conflict with any regulations under this subsection, cease to have effect as from the date when the regulations come into force.

(2) Except in so far as regulations under the foregoing subsection otherwise provide, all receipts, orders, certificates, indorsements, accounts, returns or instruments, or other matters or things required for carrying into execution this Act shall contain such particulars and shall be made in such form and manner and under such conditions as shall be directed or required or approved by the Commissioners or their officers.

(3) Regulations under this section shall have effect as if enacted in this Act and the power of making such regulations shall be exercisable by statutory instrument a draft of which shall be laid before Parliament.

Rules of bank for authentication of documents.

74. The rules of a trustee savings bank may provide for the execution and signing of instruments and documents on behalf of the trustees by not less than four trustees authorised for the purpose by the trustees, and any such rules, if duly certified shall be binding on all persons, and be operative for all purposes, but shall not affect anything contained in any regulations made by the Commissioners under section thirty of this Act.

Advances to new banks.

75.—(1) Where the Commissioners, in pursuance of section one of this Act, approve the formation of a new trustee savings bank, the Commissioners may, after consultation with the Association and the Inspection Committee, advance to the trustees of that bank out of such part of the separate surplus fund as stands to the credit of closed banks, such sums as they

think fit for the purpose of providing for expenses incurred in connection with the formation and the initial working of the bank; and any such advance may be made on such terms and conditions and for such period as the Commissioners with the consent of the Treasury may determine.

(2) The Commissioners may, with the consent of the Treasury, release the whole or any part of the principal of and interest on any advance made by the Commissioners under this section.

Fees taken by Registrar.

76.—(1) The Treasury may by warrant direct that there shall be charged upon any certificate or authority given, and any award, order or determination made by the Registrar under this Act, such reasonable fee as may be fixed by the warrant of the Treasury.

(2) Every such fee shall be paid into the Exchequer, and shall be paid by such persons and in such manner as may be directed by the warrant.

(3) No fee which is not allowed by the warrant shall be charged or taken in respect of any matter for which a fee can be charged under this section.

(4) The power of making warrants under this section shall be exercisable by statutory instrument and a draft statutory instrument under this section shall be laid before both Houses of Parliament for at least forty days before the statutory instrument is made, but section six of the Statutory Instruments Act, 1946, shall not apply to a statutory instrument under this section.

Exemption from stamp duty.

77. No stamp duty shall be charged on—

(*a*) a power, warrant or letter of attorney given by a person as trustee of a trustee savings bank or by a depositor in a trustee savings bank authorising a person to make a deposit on behalf of the depositor, or to sign a document or instrument required by the rules of the bank on making a deposit, or to withdraw a deposit, or the dividends or interest on a deposit,

(*b*) a receipt, or entry in a receipt book, for a deposit in a trustee savings bank, or for any money received by a depositor, or his personal representatives, assigns or attornies, from the funds of a trustee savings bank,

(*c*) a draft or order, an appointment of an agent, an instrument for the revocation of any such appointment, a surety-bond, or any other instrument or document whatever required or authorised to be given, issued, signed, made or produced in pursuance of this Act.

Indemnity for Bank of England, etc.

78. Neither the Bank of England nor the Bank of Ireland nor the Commissioners shall be under any liability in respect of anything required or permitted to be done in pursuance of this Act.

Commissioners' staff.

79. The Commissioners may employ such clerks and other officers as may be necessary for the purposes of this Act, and the Treasury may determine the remuneration of those clerks or other officers.

Use of title of certified savings bank by unauthorised persons.

80. If a bank, association, company or other person, not being a trustee savings bank, shall use or adopt the title of "savings bank certified under the Act of 1863" or "savings bank certified under the Trustee Savings Banks Act, 1954," as their or his designation, or in carrying on business, the members of the association or company or, as the case may be, the said person, shall be guilty of a misdemeanour.

Supplemental and general

Interpretation.

81. In this Act, unless the context otherwise requires—

"the Association" has the meaning assigned to it by section eight of this Act;

"the Commissioners" means the National Debt Commissioners;

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

"Inspection Committee" means the Committee established under section four of this Act;

"ordinary deposit" has the meaning assigned to it by section eleven of this Act;

"penny savings bank" means a bank the rules of which fix a sum not exceeding five pounds as the maximum amount which may stand to the credit of any one depositor therein at any one time, and which provide, upon the attainment of that maximum amount, for its transfer to an account opened in the depositor's own name in the savings bank where the deposit account of the penny savings bank is kept;

"Registrar" has the meaning assigned to it by section one hundred and six of the Friendly Societies Act, 1896;

" reserves " means as respects any bank the whole of the assets of the bank, less the amount necessary to discharge in full all liability to depositors in the bank and outstanding management expenses ;

" separate surplus fund " has the meaning assigned to it by section thirty-eight of this Act ;

" special investments " has the meaning assigned to it by section eleven of this Act ;

" trustee " in relation to a trustee savings bank does not include a custodian trustee ;

" trustee savings bank " means a bank certified under this Act or the Trustee Savings Banks Act, 1863.

Repeal and transitional provisions.

82.—(1) The enactments and regulations set out in the Third Schedule to this Act are hereby repealed and revoked to the extent specified in the third column of that Schedule.

(2) Nothing in the repeal of the said enactments shall affect any instrument made or other thing whatsoever done under any enactment repealed by this Act and every instrument or other thing made or done under any enactment reproduced in this Act shall contine in force and, so far as it could have been made or done under this Act, shall have effect as if made or done under the corresponding provision of this Act.

(3) Nothing in this section shall affect the application of an Act passed in the fifty-ninth year of the reign of King George the Third intituled an Act for the Protection of Banks for Savings in Scotland to any savings bank established under that Act before the twenty-eighth day of July, eighteen hundred and sixty-three (that is to say the date of the passing of the Trustee Savings Banks Act, 1863), unless and until that bank becomes a trustee savings bank.

(4) Nothing in this section shall affect the savings on the repeal of section twelve and sections fifty-one to fifty-four of the Trustee Savings Banks Act, 1863, contained in section twelve of the Savings Banks Act, 1949, or the savings on the repeal of provisions in section forty-one of the Trustee Savings Banks Act, 1863, contained in the Eleventh Schedule to the Finance Act, 1949.

(5) Any enactment or other document whatsoever referring to any enactment repealed by this Act shall be construed as referring (or including a reference) to the corresponding enactment in this Act.

(6) The mention of particular matters in this section shall not be held to prejudice or affect the general application of section thirty-eight of the Interpretation Act, 1889, with regard to the effect of repeals.

Application to Northern Ireland.

83.—(1) It is hereby declared that this Act extends to Northern Ireland.

(2) In the application of this Act to Northern Ireland, the provisions of this Act relating to stamp duties (being matters with respect to which the Parliament of Northern Ireland may make laws) shall be treated for the purposes of section six of the Government of Ireland Act, 1920 (which provides that that Parliament may amend laws of the Parliament of the United Kingdom passed before the day appointed for the purposes of that section) as passed before that day.

Application of Act to banks in Republic of Ireland.

84.—(1) In relation to sums of money which at the commencement of this Act stand in the books of the Commissioners to the credit of a trustee savings bank in the Republic of Ireland or which may thereafter be credited in those books to such a trustee savings bank in pursuance of section fourteen of this Act or any other enactment, references in this Act to trustee savings banks shall include references to trustee savings banks in the Republic of Ireland.

(2) Save as otherwise expressly provided by the foregoing subsection or any other provision of this Act, references in this Act to trustee savings banks shall not include references to trustee savings banks in the Republic of Ireland.

Application to Isle of Man and Channel Islands.

85. This Act shall extend to the Isle of Man and the Channel Islands and in this Act the expression "United Kingdom" shall include those Islands.

Short title and commencement.

86.—(1) This Act may be cited as the Trustee Savings Banks Act, 1954.

(2) This Act shall come into operation at the expiration of a period of two months, beginning with the date on which it is passed.

SCHEDULES

Section 2.

FIRST SCHEDULE

MATTERS TO BE COVERED BY THE RULES OF A BANK WHICH IS TO HAVE THE BENEFIT OF THIS ACT

The rules of a trustee savings bank must expressly provide for the following matters.

1.—(1) That a person who is a treasurer, trustee or manager of the bank, or who has any control in the management of the bank, shall not derive any benefit from any deposit made in the bank.

(2) That the persons depositing money in the bank shall have the whole benefit of those deposits and the produce thereof, except for such salaries and allowances or other necessary expenses as may, according to the rules of the bank, be provided for the charges of managing the bank and for remuneration to officers employed in the management of the bank, so, however, that the treasurer, trustees, managers or other persons having direction of the management of the bank shall not directly or indirectly have any salary, allowance, profit or benefit whatsoever therefrom, beyond their actual expenses for the purposes of the bank.

2.—(1) That not less than two persons who are trustees, managers or paid officers appointed for that specific purpose shall be present on all occasions of public business, and be parties to every transaction of deposit and repayment, so as to form at least a double check on every such transaction with depositors.

(2) That where the bank is open for not more than six hours in every week, and there are only two such persons, one of them shall be a trustee or manager.

Note.—Notwithstanding that this provision is contained in the rules, receipts and repayments of deposits may be carried out in accordance with section nineteen of this Act.

3. That the depositor's passbook shall be compared with the ledger on every transaction of repayment, and on its first production at the bank after each twentieth day of November.

4. That every depositor in the bank shall once at least in every year cause his deposit book to be produced at the office of the bank for the purpose of being examined.

5. That no money be received from or paid to depositors except at the office or branch offices where the business of the bank is carried on under the authority of the board of managers, and during the usual hours for public business:

Provided that the rules of the bank may, if the Commissioners approve, provide for payments to and by depositors being made at the office of another bank, whether that other bank is a trustee savings bank or not.

1ST SCH. —*cont.*

6. That a public accountant or one or more auditors be appointed by the trustees and managers, but not out of their own body,—

(*a*) to examine the books of the bank, and

(*b*) to report in writing to the board or committee of management the result of the audit not less than once in every half-year, and

(*c*) to examine an extracted list of the depositors' balances made up every year to the twentieth day of November and to certify as to the correct amount of the liabilities and assets of the bank.

7. That a book containing such an extracted list as aforesaid of every depositor's balance, omitting the name, but giving the distinctive number and amount of each, and showing the aggregate number and amount of the whole, checked and certified by the said public accountant or auditors, be open at any time during the hours of public business for the inspection of every depositor as respects his own account, to examine his own deposit book therewith, and the general results of the same.

8. That the trustees and managers or committee of management shall hold meetings once at least in every half year, and shall keep minutes of their proceedings in a separate book provided for that purpose.

9. That where a bank is established with agents or local receivers elsewhere than at the head office, those agents and local receivers shall duly receive and account for all moneys on account of the bank, that a second party shall be present in every transaction where money is paid or received, and that the depositors' books shall be periodically examined with the ledger, at least once in every year.

Note.—Notwithstanding that this provision is contained in the rules, receipts and repayments of deposits may be carried out in accordance with section nineteen of this Act.

General note.—Additional requirements as to the contents of the rules are imposed by sections sixteen, twenty-two, thirty-nine and fifty-seven of this Act.

SECOND SCHEDULE

Section 30.

WITHDRAWALS FROM THE FUND FOR THE BANKS FOR SAVINGS

PART I

GENERAL

1.—(1) To enable a trustee savings bank to withdraw money from the Commissioners, an agent shall, by an instrument signed and sealed by not less than two trustees of the bank and witnessed by two managers of the bank, be appointed to receive the sums of money which the trustees may require from the Commissioners.

(2) The appointment shall be produced to the officer of the Commissioners at least fourteen days before any sum of money is paid on account of the bank, and shall be deposited in the office of the Commissioners.

2ND SCH. —*cont.*

(3) The trustees who made the appointment, or the survivor of them, may revoke the appointment by signing and sealing an instrument to that effect witnessed by two managers of the bank.

(4) If all the said trustees except one have died the surviving trustee together with not less than two of the other trustees of the bank may make a further appointment in accordance with the foregoing provisions of this paragraph reappointing the agent or appointing some other person in his place.

(5) If all the said trustees have died or refuse to act, not less than two of the other trustees of the bank may make the further appointment.

(6) Every revocation of an appointment and every further appointment shall be produced to the officer of the Commissioners at least fourteen days before any sum of money is paid to the new agent and shall be deposited in the office of the Commissioners.

2.—(1) The trustees of a trustee savings bank may withdraw sums of money standing in the books of the Commissioners by making out a draft for payment to the agent appointed under the foregoing paragraph.

The draft shall be addressed to the Commissioners and signed by any two trustees of the bank and attested by two other trustees or managers or any two credible witnesses.

(2) The officer of the Commissioners shall, on production of the draft, within five days indorse on the draft an order signed by him for the payment of the sum mentioned in the draft together with the amount of all interest due on that sum up to the day immediately preceding the day of the date of the officer's order.

(3) The officer's order shall, before it is issued, be entered and countersigned by the clerk or other proper officer making the entry and shall be addressed to the cashiers of the Bank of England or the Bank of Ireland, as the case may be.

(4) A cashier of the Bank of England or the Bank of Ireland, as the case may be, shall, on production of the officer's order, pay the sum mentioned therein to the agent mentioned in the trustees' draft.

(5) The signature of the said agent shall be sufficient discharge to the Commissioners and to the Bank of England or the Bank of Ireland, as the case may be, and all payments made in pursuance of the trustees' draft shall be taken to be made by the Commissioners to the trustees of the trustee savings bank according to the order in which the original receipts in respect of money invested with the Commissioners were issued to the trustees of that bank under this Act.

3. If the sums drawn for by any drafts by the trustees of a trustee savings bank exceed ten thousand pounds those sums shall not be payable by the officer of the Commissioners until the expiration of fourteen days after the day when the drafts are produced to that officer.

4. The officer of the Commissioners shall not issue any order for payment to a trustee savings bank of a principal sum exceeding ten thousand pounds and shall not issue two or more such orders dated on the same day in favour of the same trustee savings bank for more than that amount:

Provided that the limit imposed by this paragraph may be exceeded if it appears to the Commissioners that, owing to any special circumstances existing at the time, it is desirable that it should be exceeded.

5.—(1) If application is made in person at the office of the Commissioners—

(*a*) in a case where an agent has been appointed under paragraph 1 of this Schedule, by a trustee who signed the appointment, or

(*b*) in a case where no appointment has been made, by any trustee of a trustee savings bank,

and the applicant produces a draft for less than five thousand pounds signed by two or more other trustees of the bank or a draft for a greater sum signed by four or more other trustees of the bank, and the identity of the applicant is ascertained to the satisfaction of the Commissioners or their officer, the said officer may direct payment to be made to the applicant as if he were such an agent as aforesaid, but subject to the limitations laid down by the foregoing paragraphs in the case of payment to an agent.

(2) Nothing in this paragraph shall invalidate the appointment of such an agent as aforesaid.

PART II

BORROWING ON SECURITY OF EXCHEQUER BILLS TO MEET WITHDRAWALS

6.—(1) The Treasury may, on the application of the Commissioners or their officer certifying that any sum of money is required to meet withdrawals by trustee savings banks, by warrant cause Exchequer Bills to be made out for the whole or a part of the sum so certified.

(2) The Bank of England or the Bank of Ireland may advance to the Commissioners on the credit of the Exchequer Bills such sums, at such times and under such conditions as the Commissioners and the Bank of England or Ireland may agree for the purposes of this Act.

(3) The principal of, and interest due under, the Exchequer Bills shall be discharged by the Commissioners—

(*a*) out of moneys paid into the Fund for the Banks for Savings by the trustees of a trustee savings bank, or

(*b*) by the sale of any securities standing to the credit of that Fund,

or partly in one of those ways and partly in the other.

(4) On the making of a payment under the last foregoing subparagraph, the Bank of England or the Bank of Ireland, as the case may be, shall deliver Exchequer Bills to the Commissioners to the amount of the principal sum so paid off and discharged, and the Commissioners shall forthwith cause those Exchequer Bills to be cancelled.

Section 82.

THIRD SCHEDULE

ENACTMENTS REPEALED

Session and Chapter	Short Title	Extent of Repeal
9 Geo. 4. c. 92.	The Savings Bank Act, 1828.	The whole Act so far as relates to trustee savings banks.
3 & 4 Will. 4. c. 14.	The Savings Bank Act, 1833.	The whole Act so far as relates to trustee savings banks.
5 & 6 Will. 4. c. 57.	The Savings Bank Act, 1835.	The whole Act so far as relates to trustee savings banks.
23 & 24 Vict. c. 137.	The National Debt Commissioners (Investments) Act, 1860.	The whole Act.
26 & 27 Vict. c. 14.	The Post Office Savings Bank Act, 1863.	Sections two to six.
26 & 27 Vict. c. 25.	The Savings Bank Investment Act, 1863.	The whole Act so far as relates to trustee savings banks.
26 & 27 Vict. c. 87.	The Trustee Savings Banks Act, 1863.	The whole Act.
29 & 30 Vict. c. 5.	The Savings Bank Investment Act, 1866.	The whole Act so far as relates to trustee savings banks.
32 & 33 Vict. c. 59.	The Savings Bank Investment Act, 1869.	The whole Act so far as relates to trustee savings banks.
39 & 40 Vict. c. 52.	The Savings Banks (Barrister) Act, 1876.	The whole Act so far as relates to trustee savings banks.
40 & 41 Vict. c. 13.	The Customs, Inland Revenue and Savings Banks Act, 1877.	Section fifteen. Section seventeen so far as relates to trustee savings banks.
43 & 44 Vict. c. 36.	The Savings Banks Act, 1880.	The whole Act.
50 & 51 Vict. c. 40.	The Savings Banks Act, 1887.	Section one so far as relates to trustee savings banks. Section two. Section three so far as relates to trustee savings banks.
50 & 51 Vict. c. 47.	The Trustee Savings Banks Act, 1887.	The whole Act.
51 & 52 Vict. c. 15.	The National Debt (Supplemental) Act, 1888.	Section five.
54 & 55 Vict. c. 21.	The Savings Banks Act, 1891.	Sections one to ten. In section twelve, subsection (1) and, so far as relates to trustee savings banks, subsection (2). Sections fifteen to nineteen so far as relates to trustee savings banks.
3 Edw. 7. c. 46	The Revenue Act, 1903 ...	In section sixteen in subsection (1), the words " of a savings bank or ".
4 Edw. 7. c. 8.	The Savings Banks Act, 1904.	Section one. Section two so far as relates to trustee savings banks. Sections four to seven. Section nine so far as relates to trustee savings banks. Sections thirteen to sixteen so far as relates to trustee savings banks.

3RD SCH. —*cont.*

Session and Chapter	Short Title	Extent of Repeal
5 & 6 Geo. 5. c. 93.	The War Loan (Supplemental Provisions) Act, 1915.	Section ten. In section eleven the words from "and so far" in the second place where they occur to the end of the section.
8 & 9 Geo. 5. c. 4.	The Trustee Savings Banks Act, 1918.	The whole Act.
10 & 11 Geo. 5. c. 12.	The Savings Banks Act, 1920.	Section one so far as relates to trustee savings banks. Section two. Sections three and four so far as relates to trustee savings banks. Section six so far as relates to trustee savings banks. In section ten the second paragraph in subsection (2) and, in subsection (3), the words "as regards any trustee savings bank, the trustees of the bank".
19 & 20 Geo. 5. c. 27.	The Savings Banks Act, 1929.	Sections one to four. Section five so far as relates to trustee savings banks. Sections six to nine. Sections ten and thirteen so far as relates to trustee savings banks. Sections fourteen to nineteen. In section twenty, subsection (2) so far as relates to trustee savings banks.
24 & 25 Geo. 5. c. 37.	The Trustee Savings Banks (Special Investments) Act, 1934.	The whole Act.
8 & 9 Geo. 6. c. 12.	The Northern Ireland (Miscellaneous Provisions) Act, 1945.	In section seven, subsections (1) and (3) and, so far as relates to trustee savings banks, subsection (2).
9 & 10 Geo. 6. c. 26.	The Emergency Laws (Transitional Provisions) Act, 1946.	In the Second Schedule, the amendments of the enactments relating to trustee savings banks.
10 & 11 Geo. 6. c. 6.	The Trustee Savings Banks Act, 1947.	The whole Act.
10 & 11 Geo. 6. c. 35.	The Finance Act, 1947.	In section seventy-two, subsections (2) and (3).
11 & 12 Geo. 6. c. 39.	The Industrial Assurance and Friendly Societies Act, 1948.	In section nineteen, in subsection (5), in paragraph (*a*) the words from "and section thirty-two" to the end of the paragraph.

3RD SCH. —*cont.*

Session and Chapter	Short Title	Extent of Repeal
12, 13 & 14 Geo. 6. c. 13.	The Savings Banks Act, 1949.	Sections one to six. In section seven, subsections (1) and (3) and, so far as relates to trustee savings banks, subsection (2). Sections eight to fourteen. Section sixteen. In section seventeen, subsection (2).

REGULATIONS REVOKED

The Trustee Savings Banks Regulations, 1929.	In the Second Schedule, the entries relating to forms under sections eight and fifteen of the Trustee Savings Banks Act, 1863.

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Trustee Savings Banks Act, 1863	26 & 27 Vict. c. 87.
Local Loans Act, 1875	38 & 39 Vict. c. 83.
Interpretation Act, 1889	52 & 53 Vict. c. 63.
Savings Banks Act, 1891	54 & 55 Vict. c. 21.
Friendly Societies Act, 1896	59 & 60 Vict. c. 25.
Government of Ireland Act, 1920	10 & 11 Geo. 5. c. 67.
Trusts (Scotland) Act, 1921	11 & 12 Geo. 5. c. 58.
Trustee Act, 1925	15 & 16 Geo. 5. c. 19.
Superannuation Act, 1935	25 & 26 Geo. 5. c. 23.
Statutory Instruments Act, 1946	9 & 10 Geo. 6. c. 36.
Companies Act, 1948	11 & 12 Geo. 6. c. 38.
Savings Banks Act, 1949	12, 13 & 14 Geo. 6. c. 13.
Finance Act, 1949	12, 13 & 14 Geo. 6. c. 47.