

*Draft Order laid before the Scottish Parliament under section 20(3) of the Dormant Bank and Building Society Accounts Act 2008 for approval by resolution of the Scottish Parliament.*

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## DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2010 No.**

# **BANKS AND BANKING**

## **BUILDING SOCIETIES**

### **The Dormant Bank and Building Society Accounts (Scotland) Order 2010**

<i>Made</i>	-	-	-	-		<i>2010</i>
<i>Coming into force</i>	-	-				<i>2010</i>

The Scottish Ministers make the following Order in exercise of the powers conferred by section 20(1) of the Dormant Bank and Building Society Accounts Act 2008<sup>(1)</sup> and all other powers enabling them to do so.

In accordance with section 20(2) of that Act, they have consulted the Big Lottery Fund and such other persons as they think appropriate.

In accordance with section 20(3) of that Act, a draft of the Order has been laid before and approved by resolution of the Scottish Parliament.

#### **Citation, commencement and extent**

1.—(1) This Order may be cited as the Dormant Bank and Building Society Accounts (Scotland) Order 2010 and comes into force on the day after the day on which it is made.

(2) It extends to Scotland only.

#### **Interpretation**

2. In this Order—

“the Act” means the Dormant Bank and Building Society Accounts Act 2008;

“dormant account money” has the meaning given by section 16(2) of the Act;

“third sector organisation” means an organisation that exists wholly or mainly to provide benefits for society or the environment;

“community” includes any community based on common interest, identity or geography; and

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(1) 2008 c.31.

“Scottish expenditure” has the meaning given by section 17(2) of the Act.

**Distribution of money for meeting Scottish expenditure**

**3.—**(1) A distribution of dormant account money for meeting Scottish expenditure may be made only—

- (a) to third sector organisations; and
- (b) for meeting expenditure on or connected with the provision of services, facilities or opportunities which promote any strong, resilient and supportive community.

(2) For the purposes of this Order, a “strong, resilient and supportive community” is a community—

- (a) whose members—
  - (i) are safe, healthy and able to contribute to the social, environmental and economic well-being of the community; and
  - (ii) have access to high quality services and economic opportunities; and
- (b) which is able to withstand or recover from difficult social, environmental or economic conditions.

St Andrew’s House,  
Edinburgh  
Date

Authorised to sign by the Scottish Ministers

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order restricts the purposes for which, and the kinds of person to which, a distribution of dormant account money may be made under the Dormant Bank and Building Society Accounts Act 2008 (“the 2008 Act”) for meeting Scottish expenditure. The distribution of funds will be administered under directions given to the Big Lottery Fund by the Scottish Ministers under section 22(5) of the 2008 Act.

Article 3 provides that distributions may be made to third sector organisations on or connected with services, facilities or opportunities which promote strong, resilient and supportive communities.