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## STATUTORY INSTRUMENTS

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# 1985 No. 1205

## The Credit Unions (Northern Ireland) Order 1985

### Membership of credit union

#### *Nomination to property in credit union*

17.—(1) Subject to paragraphs (2) and (3), a member of a credit union may, by a written statement signed by him and delivered at or sent to the credit union's registered office during his lifetime or made in any book kept at that office, nominate a person or persons to become entitled at his death to the whole, or to such part or respective parts as may be specified in the nomination, of any property in the credit union (whether in shares, loans or otherwise) which he may have at the time of his death.

(2) The nomination by a member of a credit union under paragraph (1) of a person who is at the date of the nomination an officer or servant of the credit union shall not be valid unless that person is the husband, wife, [<sup>F1</sup>civil partner,] father, mother, child, brother, sister, nephew or niece of the nominator.

(3) For the purposes of the disposal of any property which is the subject of a nomination under paragraph (1) if the nomination was made after 20th April 1967 and at the date of the nominator's death the amount of his property in the credit union comprised in the nomination exceeds £5,000 (or such higher amount as may be substituted under section 6(1) of the Administration of Estates (Small Payments) Act (Northern Ireland) 1967), the nomination shall be valid to the extent of £5,000 (or such higher amount as aforesaid) but not further or otherwise.

(4) A nomination by a member of a credit union under paragraph (1) may be varied or revoked by a subsequent nomination by him under that paragraph or by any similar document in the nature of a revocation or variation signed by the nominator and delivered at or sent to the credit union's registered office during his lifetime, but shall not be revocable or variable by the will of the nominator or by any codicil to such will.

(5) Every credit union shall keep a book in which the names of all persons nominated under paragraph (1) and any revocation or variation of any nomination under that paragraph shall be recorded.

(6) The [<sup>F1</sup>formation of a marriage or civil partnership by] a member of a credit union shall operate as a revocation of any nomination made by him before the marriage [<sup>F1</sup>or civil partnership was formed]; but if any property of that member has been transferred by an officer of the credit union in pursuance of the nomination in ignorance of [<sup>F1</sup>the formation of a marriage or civil partnership] by the nominator subsequent to the date of the nomination, the receipt of the nominee shall be a valid discharge to the credit union and the credit union shall be under no liability to any other person claiming the property.

[<sup>F2</sup>(7) A nomination made by an individual who is a corporate member is valid only if—

- (a) in the case of a nomination made by an individual acting in the capacity as a partner in a partnership, the person nominated is (immediately before the individual's death) a partner in the partnership;
- (b) in the case of a nomination made by an individual acting in the capacity as an officer or member of the governing body of an unincorporated association, the person nominated is

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(immediately before the individual's death) an officer or member of the governing body of the unincorporated association.]

**F1** [2004 c.33](#)

**F2** Art. 17(7) inserted (23.4.2016) by [Credit Unions and Co-operative and Community Benefit Societies Act \(NorthernIreland\) 2016 \(c. 16\)](#), s. 17, **Sch. 1 para. 6**

**Modifications etc. (not altering text)**

**C1** [Art. 17\(3\)](#) modified (8.12.2020) by [The Administration of Estates \(Small Payments\) \(Increase of Limit\) Order \(Northern Ireland\) 2020 \(S.R. 2020/280\)](#), arts. 1, **2(d)**

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**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch.1 Pt.I amended by [S.I. 1996/2653 art.2\(b\)](#)
- Sch.1 Pt.I rev.in pt. by [S.I. 1996/2653 art.2\(a\)](#)
- Sch. 1 Pt. 1 words inserted by [S.I. 1996/2653 art. 2\(b\)](#)
- Sch. 1 Pt. 1 words omitted by [S.I. 1996/2653 art. 2\(a\)](#)