Status: *This version of this schedule contains provisions that are prospective.*
Changes to legislation: *There are currently no known outstanding effects for the Banking Act 1979, SCHEDULE 6. (See end of Document for details)*

SCHEDULE 6 U.K.

CONSEQUENTIAL AMENDMENTS

PART I U.K.

ENACTMENTS AMENDED

The Bankers' Books Evidence Act 1879 (c. 11)

1 For section 9 of the Bankers' Books Evidence Act 1879 (meaning of "bank", "banker", and "bankers' books" for the purposes of that Act) there shall be substituted the following section:—

"**9 Interpretation of "bank", "banker", and "bankers' books".**

(1) In this Act the expressions "bank" and "banker" mean—

(a) a recognised bank, licensed institution or municipal bank, within the meaning of the Banking Act 1979;

(b) a trustee savings bank within the meaning of section 3 of the Trustee Savings Banks Act 1969;

(c) the National Savings Bank;

(d) the Post Office, in the exercise of its power to provide banking services.

(2) Expressions in this Act relating to "bankers' books" include ledgers, day books, cash books, account books and other records used in the ordinary business of the bank, whether those records are in written form or are kept on microfilm, magnetic tape or any other form of mechanical or electronic data retreival mechanism."

Modifications etc. (not altering text)

C1 The text of ss. 38, 51(2), Sch. 6 Pt. I paras. 1–3, 9(a)(b) and 10(a)(b) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

The Agricultural Credits Act 1928 (c. 43)

2 In subsection (7) of section 5 of the Agricultural Credits Act 1928 (agricultural charges on farming stock and assets) for the definition of "Bank" there shall be substituted the following definition:—

""Bank" means the Bank of England, a recognised bank or licensed institution within the meaning of the Banking Act 1979, a trustee savings bank within the meaning of section 3 of the Trustee Savings Banks Act 1969 or the Post Office, in the exercise of its powers to provide banking services".

Modifications etc. (not altering text)

C2 The text of ss. 38, 51(2), Sch. 6 Pt. I paras. 1–3, 9(a)(b) and 10(a)(b) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

The Agricultural Credits (Scotland) Act 1929 (c. 13)

3 In subsection (2) of section 9 of the Agricultural Credits (Scotland) Act 1929 (interpretation), for the definition of "Bank" there shall be substituted the following definition:—

> ""Bank" means the Bank of England, a recognised bank or licensed institution within the meaning of the Banking Act 1979, a trustee savings bank within the meaning of section 3 of the Trustee Savings Banks Act 1969 or the Post Office, in the exercise of its powers to provide banking services".

Modifications etc. (not altering text)

C3 The text of ss. 38, 51(2), Sch. 6 Pt. I paras. 1–3, 9(a)(b) and 10(a)(b) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

4, 5. . . . . **F1**

Textual Amendments

F1 Sch. 6 Pt. I paras. 4, 5 repealed by Financial Services Act 1986 (c. 60, SIF 69) s. 212(3), Sch. 17

6, 7. . . . . **F2**

Textual Amendments

F2 Sch. 6 Pt. I paras. 6, 7 repealed by Building Societies Act 1986 (c. 53, SIF 16), s. 120, **Sch. 19 Pt. 1**

8 . . . . . **F3**

Textual Amendments

F3 Sch. 6. Pt. I para. 8 repealed by S.I. 1985/1205, art. 83(3), **Sch. 6**

The Solicitors Act 1974 (c. 47)

9 In subsection (1) of section 87 of the Solicitors Act 1974 (interpretation of expressions used in that Act), in the definition of "bank"—

(a) in paragraph (a) after the word "England" there shall be inserted the words "the Post Office, in the exercise of its powers to provide banking services, or a recognised bank within the meaning of the Banking Act 1979"; and

(b) in paragraph (b) for the words "a company as to which the Secretary of State is satisfied" there shall be substituted the words " any othercompany as to which, immediately before the repeal of the Protection of Depositors Act 1963, the Secretary of State was satisfied ";

and the expression "bank" in any instrument made under the said Act of 1974 which is in force immediately before the appointed day shall be construed accordingly.

Modifications etc. (not altering text)

C4 The text of ss. 38, 51(2), Sch. 6 Pt. I paras 1-3, 9(a)(b) and 10(a)(b) is in the form in which it was originally enacted; it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made made prior to 1.2.1991.

The Solicitors (Scotland) Act 1976 (c. 6)

PROSPECTIVE

10 In subsection (1) of section 5 of the Solicitors (Scotland) Act 1976 (extension of power of Council to make rules regarding certain accounts)—

(a) after the words "National Savings Bank" there shall be inserted the words " the Post Office, in the exercise of its powers to provide banking services, a recognised bank within the meaning of the Banking Act 1979 "; and

(b) for the words "company as to which the Secretary of State is satisfied" there shall be substituted the words " other company as to which, immediately before the repeal of the Protection of Depositors Act 1963, the Secretary of State was satisfied ";

and the expression "bank" in any instrument made under the said Act of 1976 or under the [M1]Solicitors (Scotland) Act 1949 which is in force immediately before the appointed day shall be construed accordingly.

Modifications etc. (not altering text)

C5 The text of ss. 58, 51(2), Sch. 6 Pt. I paras 1-3, 9(a)(b) and 10(a)(b) is in the form in which it was originally enacted; it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M1 1949 c. 63**(76:2)**

11 . . . . . [F4]

Textual Amendments

F4 Sch. 6. Pt. I para. 11 repealed by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 3, **Sch. 1 Pt. 1**

12 . . . . . [F5]

Textual Amendments

F5 Sch. 6. Pt. I para. 12 repealed by S.I. 1981/156 (N.I. 3), **Sch. 13 Pt. 2**

PART II U.K.

SAVINGS

The Bankers' Books Evidence Act 1879 (c. 11)

13 Nothing in paragraph 1 above shall affect the operation of the Bankers' Books Evidence Act 1879 in relation to any entry in any banker's book made, or relating to a transaction carried out,—

(a) before the day appointed for the purposes of that paragraph; or

(b) at a time when the bank or banker in question was permitted to accept deposits by virtue of subsection (4) of section 2 of this Act.

The Agricultural Credits Act 1928 (c. 43)

14 Nothing in paragraph 2 above shall affect the validity of, or the rights and obligations of the parties to, an agricultural charge within the meaning of the Agricultural Credits Act 1928 made before the day appointed for the purposes of that paragraph.

The Agricultural Credits (Scotland) Act 1929 (c. 13)

15 Nothing in paragraph 3 above shall affect the validity of, or the rights and obligations of the parties to, an agricultural charge within the meaning of the Agricultural Credits (Scotland) Act 1929 made before the day appointed for the purposes of that paragraph.

16, 17. . . . . [F6]

Textual Amendments

F6 Sch. 6. Pt. II paras. 16, 17 repealed by Building Societies Act 1986 (c. 53, SIF 16), s. 120, **Sch. 19 Pt. 1**

18 . . . . . [F7]

Textual Amendments

F7 Sch. 6. Pt. II para. 18 repealed by S.I. 1985/1205, art 83(3), **Sch. 6**

19 The savings contained in this Part of this Schedule are without prejudice to section 16 of the [M2]Interpretion Act 1978 (general savings).

Marginal Citations

M2 1978 c. 30

Status:
This version of this schedule contains provisions that are prospective.

Changes to legislation:
There are currently no known outstanding effects for the Banking Act 1979, SCHEDULE 6.