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**Changes to legislation:** *Law Reform (Miscellaneous Provisions) (Scotland) Act 1990, Paragraph 21 is up to date with all changes known to be in force on or before 22 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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## SCHEDULES

### SCHEDULE 8

#### AMENDMENT OF ENACTMENTS

#### PART II

#### MISCELLANEOUS

##### *The Judicial Factors Act 1849 (c. 51)*

- 21 (1) In section 5 (factor to lodge monies in one of the banks of Scotland) of the Judicial Factors Act 1849—
- (a) in subsection (1), for the words “banks in Scotland established by Act of Parliament or royal charter” there shall be substituted the words—
    - “following institutions, that is to say—
    - (a) an institution authorised under the Banking Act 1987;
    - (b) the National Savings Bank; or
    - (c) a building society incorporated (or deemed to be incorporated) under the Building Societies Act 1986;”;
  - <sup>F1</sup>(b) .....
- (2) In section 33 (power of accountant to require information) of that Act, for the word “bank”—
- (a) in the first place where it occurs, there shall be substituted the words “institution such as is mentioned in paragraphs (a) to (c) of section 5(1) of this Act”; and
  - (b) in the second and third places where it occurs, there shall be inserted the word “institution”.
- (3) In section 34 (discharge of factors, tutors and curators) of that Act, at the beginning there shall be inserted the words “ Subject to section 34A of this Act, ”.
- (4) In section 37 (accumulation of principal and interest on accounts and deposits) of that Act—
- (a) for the words “bank in Scotland” there shall be substituted the words “institution such as is mentioned in paragraphs (a) to (c) of section 5(1) of this Act”; and
  - (b) for the words “any bank” there shall be substituted the words “ any such institution ”.

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#### Textual Amendments

- F1** Sch. 8 para. 21(1)(b) repealed (1.1.2006) by Charities and Trustee Investment (Scotland) Act 2005 (asp 10), s. 107(2), **Sch. 3 para. 8**; S.S.I. 2005/644, art. 2(1), Sch. 1

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

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

- s. 21A(1)(c) words substituted by [2007 asp 5 Sch. 5 para. 3\(7\)\(a\)\(iii\)](#)
- s. 33(6) inserted by [2007 asp 5 Sch. 5 para. 3\(11\)](#)