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STATUTORY INSTRUMENTS

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**1972 No. 583**

**SAVINGS BANKS**

**The Trustee Savings Banks Regulations 1972**

*Laid before Parliament in draft*

*Made - - - - 11th April 1972*

*Coming into Operation 1st May 1972*

The Treasury, in exercise of the powers conferred upon them by sections 28 and 86 of the Trustee Savings Banks Act 1969 and of all other powers enabling them in that behalf, with the concurrence of the National Debt Commissioners, hereby make the following Regulations:—

PRELIMINARY

**Citation and Commencement**

1. These Regulations may be cited as the Trustee Savings Banks Regulations 1972, and shall come into operation on 1st May 1972.

**Interpretation**

2.—(1) In these Regulations, unless the context otherwise requires—

“the Commissioners” means the National Debt Commissioners;

“current account deposit” has the meaning assigned to it by section 13(4) of the Trustee Savings Banks Act 1969;

“friendly society” means a friendly society registered under the Friendly Societies Act 1896 or a branch registered under that Act of a friendly society so registered;

“government stock” means any stock or securities held by a depositor in a trustee savings bank on a part of the National Savings Stock Register kept by the trustees of a trustee savings bank;

“mentally disordered person”, in the application of these Regulations to England and Wales, means a person who is incapable, by reason of mental disorder within the meaning of the Mental Health Act 1959, of managing and administering his property and affairs;

“minor” means a person under eighteen years of age;

“receiver”, in the application of these Regulations to England and Wales, means, in relation to any act or thing done in respect of a mentally disordered person, a receiver or other person authorised in that behalf under Part VIII of the Mental Health Act 1959;

“savings bank annuity” means an annuity purchased through the medium of a trustee savings bank;

“Treasury Solicitor” means the Solicitor for the affairs of Her Majesty's Treasury;

“trustee savings bank” means any trustee savings bank within the meaning of the Trustee Savings Banks Act 1969;

“trustees” means the trustees and managers of a trustee saving bank.

(2) Any reference in these Regulations to the provisions of any enactment or regulations shall be construed, unless the context otherwise requires, as a reference to those provisions as amended by any other enactment or regulations.

(3) The Interpretation Act 1889 shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament, and as if these Regulations and the Regulations hereby revoked were Acts of Parliament.

## DEPOSIT AND WITHDRAWAL

### **Declaration on opening an account**

3.—(1) Subject to the provisions of these Regulations, a depositor, on opening an account in a trustee savings bank, and whenever thereafter required so to do, shall specify his full name, occupation and address, and shall make a declaration in a form approved by the Commissioners.

(2) Subject to the provisions of paragraph (3) below, the declaration shall declare that the person on whose behalf any first deposit is made is not directly or indirectly entitled to any benefit from the funds of any other trustee savings bank, and shall set forth the particulars of any other accounts which he already has, including any joint accounts in which his name appears, in the trustee savings bank receiving the declaration:

Provided that for the purposes of this declaration no account shall be taken of any benefit which the depositor may be entitled to from being a member of a friendly society or of sums which may be derived solely as executor, administrator or other personal representative of any deceased depositor or of sums standing in his name as a trustee either solely or jointly with any other person.

(3) Where an account is opened by a trustee otherwise than under section 30 of the Trustee Savings Banks Act 1969 (under which deposits may be accepted from a person acting as a trustee on behalf of the depositor, the account being in the joint names of the trustee and the depositor), the declaration shall declare that no money belonging to the trust fund from which the first deposit is made is deposited in any other trustee savings bank, and shall set forth the particulars of any other accounts to which moneys belonging to such trust fund are credited in the trustee savings bank receiving the declaration.

(4) For the purposes of paragraph (3) above, so much of the property in the hands of a trustee shall constitute one trust fund as is held on trusts which (as respects the beneficiaries or their respective interests or the purposes of the trust or as respects the powers of the trustee) are not identical with those on which any other property in his hands is held.

(5) Where a deposit is made by a trustee otherwise than under section 30 of the Trustee Savings Banks Act 1969, he may be described in the account as trustee of a specified trust or as a trustee without specifying a trust.

(6) No entry with respect to any trust, express, implied or constructive, shall be made in the account of any depositor except as provided in paragraph (5) above or except in an account opened by a trustee under section 30 of the Trustee Savings Banks Act 1969, and except as aforesaid no notice of any such trust shall be receivable by the trustees of a trustee savings bank.

(7) The declaration by a depositor applying to open a current account shall declare that he will not operate the account either wholly or partly as a trade or business account.

### **Withdrawals from accounts of minors**

4.—(1) An application for the withdrawal of money deposited by, or in the name of, a minor may be made by the minor, if he has attained the age of seven years.

(2) Upon such application, payment may be made to the minor, and his receipt shall be a good discharge to the trustees for the amount paid to him.

(3) Where it is proved to the satisfaction of the trustees that any deposits in the name of a minor under the age of seven years are urgently needed for the maintenance, education, or benefit of the minor, or that from any other circumstances it is expedient to do so, the trustees may pay the deposits, or any part thereof, to any person who may satisfy the trustees that he will apply such money for the benefit of the minor, and the receipt of such person shall be a good discharge to the trustees for sums so paid.

### **Withdrawals from accounts of mentally disordered persons**

5.—(1) An application for the withdrawal of money deposited in the name of a mentally disordered person shall be made by the receiver.

(2) Upon such application, payment shall be made to the receiver, and his receipt shall be a good discharge to the trustees for the amount paid to him.

(3) Where it is shown to the satisfaction of the trustees that a depositor is a mentally disordered person, and there is no receiver by whom application for withdrawal of deposits standing in the depositor's name may be made, the trustees may, if it is proved to their satisfaction that it is just and expedient so to do, pay the deposits, or any part thereof, to any person whom they shall judge proper to receive the same, and the receipt of such person shall be a good discharge to the trustees for the sum so paid.

### **Disability of depositor in trust account**

6. Where one of the persons named in a trust account to which section 30 of the Trustee Savings Banks Act 1969 applies has become a mentally disordered person or has become bankrupt, the trustees may in their discretion pay the deposits to the other person named in such account, with or without the concurrence of the receiver or Official Receiver or trustee in bankruptcy (if any) of the person who has become a mentally disordered person or bankrupt, and the receipt of such other person shall be a good discharge to the trustees for the sum so paid.

### **Withdrawals in case of bankrupts**

7. Where either a receiving order has been made in respect of the property of a sole depositor, or a trustee in bankruptcy of the property of a sole depositor has been appointed, the trustees may in their discretion pay the deposits standing in the name of such depositor or any part thereof to the Official Receiver or trustee in bankruptcy on the application of the Official Receiver or trustee in bankruptcy, and upon such evidence of the appointment as the trustees may require, and the receipt of the Official Receiver or trustee in bankruptcy shall be a good discharge to the trustees for the sum so paid.

## **TRANSFER OF DEPOSITS AND ADDITION OF NAMES**

### **Transfer from one account to another**

8.—(1) Any depositor may apply to the trustees for the transfer of deposits (other than current account deposits) standing in his name into the name of any other person entitled to deposit in the trustee savings bank.

(2) The trustees shall be furnished with such evidence as they may require of the title of the depositor to the sums to which the application relates.

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(3) Every such application shall be in writing, and be in a form approved by the trustees, and shall state the amount to be transferred, the full name and address of the person into whose name it is desired to transfer the deposits, and particulars of the account (if any) to which the deposits are to be transferred.

(4) A separate record shall be kept of all such applications, each of which shall be approved and signed by a trustee or manager or by some officer of the trustee savings bank specially appointed by the trustees for that purpose.

(5) Upon receiving the application, and upon being satisfied as to the title of the applicant to transfer the deposits to which the application relates, the trustees shall transfer from the account of the applicant to the account of the transferee the sum specified in the application; and the death of the applicant shall not of itself determine the authority given by the applicant for the transfer to be made, but if the trustees receive notice before the transfer is effected that the applicant has died, the transfer shall not be made.

(6) In the event of the transfer being permitted, the application shall be a good discharge to the trustees from the applicant for the sum specified in the application.

#### **Transfer from account of a deceased depositor or a mentally disordered person**

9.—(1) Any person who has attained the age of 16 years and to whom any sum due (otherwise than as a current account deposit) to a depositor at the time of his death, or to a depositor who has become a mentally disordered person, may be paid under and in accordance with the provisions of these Regulations, may, subject to the provisions of these Regulations as to death duties, instead of withdrawing such sum, apply to the trustees in writing for the transfer of such sum into his own name or the name of any other person specified in such application.

(2) The provisions of Regulation 8 above shall apply to the transfer of sums under this Regulation so far as those provisions are applicable.

#### **Addition of names to an account**

10.—(1) Upon the application of any depositor, the trustees may add the names of other persons in the title of the depositor's account.

(2) Every person whose name is added in the title of an account under this Regulation shall make the declaration required upon the opening of an account.

### **NOMINATIONS**

#### **Power to make nominations**

11.—(1) Subject to the provisions of these Regulations, a depositor, being a person who has attained the age of 16 years, may nominate any person to receive any sum not exceeding £500 due to the depositor at his death otherwise than in respect of current account deposits, but a nominator may not have more than one nomination in force at any time.

(2) Every nomination shall be in writing, and may be in a form which may be provided by the trustees; it shall be signed by the nominator in the presence of a witness, and the signature of the nominator shall be attested by the witness.

(3) A nomination shall be of no effect unless it is sent to the trustees during the lifetime of the nominator.

(4) The receipt of a nomination shall be acknowledged by the trustees.

(5) The trustees may in their absolute discretion refuse to accept a nomination received by them, and, upon a notification of the refusal of the trustees to accept a nomination being sent to the nominator, the nomination shall be of no effect.

(6) Every nomination accepted by the trustees shall be registered by them in a book to be kept for the purpose.

(7) A nomination may relate to the whole of the deposits (other than current account deposits) standing in the name of a nominator, or to part only of such deposits.

(8) A nomination shall, subject to the provisions of these Regulations, be deemed to extend to all sums to which a nominator is entitled at the time of his death in respect of government stock or a savings bank annuity, unless the nominator in the nomination expressly excludes any of such sums from the operation of the nomination.

(9) A nomination may be in favour of one person or of several persons, and, in the latter case, may direct that specific sums shall be paid to one or more of the persons named in the nomination, or that the persons named in such nomination may take the property nominated in specified shares, or may give directions to both effects.

(10) A person who witnesses the signature of a nominator to a nomination shall not take any benefit under the nomination.

### **Revocation of nomination**

**12.**—(1) A nomination shall be revoked—

- (a) by the death of the nominee, or, where there is more than one nominee, of all the nominees, in the lifetime of the nominator;
- (b) so far as relates to the interest thereunder of any nominee (being one of two or more nominees), by the death of that nominee in the lifetime of the nominator, unless the interest of the nominee is disposed of by the nomination;
- (c) by the marriage of the nominator;
- (d) by written notice of revocation given in accordance with this Regulation;
- (e) by a subsequent nomination duly made in accordance with these Regulations by the same nominator;

but a nomination shall not be revoked by any will or by any events or means other than those specified in these Regulations.

(2) A notice of revocation for the purposes of this Regulation shall be signed by the nominator in the presence of a witness, who shall attest the signature of the nominator, and the notice shall be of no effect unless it is sent to the trustees during the lifetime of the nominator.

(3) The receipt of a notice of revocation shall be acknowledged by the trustees, and the notice shall be registered by the trustees in a book to be kept for that purpose in like manner as in the case of a nomination.

(4) Where the trustees have paid money to a nominee in ignorance of the fact that the nominator has married after making the nomination, the receipt of the nominee shall be a valid discharge to the trustees.

### **Effect of transfer on nomination**

**13.** In the event of the transfer of any deposits from a trustee savings bank to another trustee savings bank or to the National Savings Bank, or from the National Savings Bank to a trustee savings bank, any nomination in force in the bank from which the transfer is made shall cease to apply to the deposits so transferred.

### Payment under nomination

14.—(1) Where on the death of a nominator the sums due to him or his estate by the trustees (otherwise than as current account deposits) do not exceed in the whole the sum of £500, and the trustees have no notice of the claim of any creditor of the nominator, the trustees shall, subject to the provisions of these Regulations as to death duties, pay the persons named in any nomination made by the nominator and in force at the time of his death in accordance with the directions of the nomination, and the receipt of any person so named shall be a good discharge to the trustees for the sum so paid, notwithstanding that he has not attained the age of 18 years, if he has attained the age of 16 years.

(2) Where on the death of a nominator the sums due to him or his estate by the trustees (otherwise than as current account deposits) exceed £500, any nomination made by such nominator shall take effect, subject to the provisions of these Regulations as to death duties, as regards any sums not exceeding in the aggregate £500 to which the nomination relates, in like manner as if it were a will of the nominator duly executed, but shall not take effect in any other manner, and a nomination shall not in such case be deemed void because the nominator was a minor at the time such nomination was made.

(3) In any such case as is mentioned in paragraph (2) above, the trustees may, if they have no notice of the claim of any creditor of the nominator, and subject to the provisions of this Regulation, pay any sums not exceeding in the aggregate £500 to which the nomination relates in accordance with the directions of the nomination, notwithstanding the production of probate of the will of the nominator or letters of administration to his estate.

(4) Where on the death of a nominator the trustees have notice of a claim of any creditor against the estate of the nominator, and the estate, apart from the amount nominated, appears to be insufficient to satisfy the claim, the trustees may in their discretion apply the amount nominated in or towards the satisfaction of the claim; but, subject as aforesaid, any payment made by the trustees to the nominee, whether the amount due to the nominator at his death does or does not exceed £500, shall be a valid payment.

(5) Where any person nominated to receive any sum on the death of a nominator is a minor under the age of 16 years, and it is proved to the satisfaction of the trustees that funds are urgently needed for his maintenance, education, or benefit, the trustees may pay the sum mentioned in the nomination, or any part thereof, to any person who may satisfy the trustees that he will apply such money for the benefit of the minor, and the receipt of such person shall be a good discharge to the trustees for the amount so paid.

(6) Where a nominee dies after the death of the nominator but before any sum has been paid to him as nominee, the provisions of these Regulations shall, subject to the provisions of paragraph (4) of this Regulation, apply to the nominee and to the sum payable to him as nominee as if at the date of his death the deceased nominee were a depositor in the trustee savings bank and the said sum were deposited in his name in a trustee savings bank account.

### Special provisions relating to existing nominations

15.—(1) Nothing in these Regulations shall invalidate or prejudice in any way any nomination made before 25th November 1929, being the date on which the Trustee Savings Banks Regulations 1929(1) came into operation, and any such nomination shall continue to be governed (subject nevertheless to the provisions of Regulations 13 and 14(6) above) by the Trustee Savings Banks Regulations 1900(2).

(2) Nothing in these Regulations shall invalidate or prejudice in any way any nomination made on or after 25th November 1929 and before 10th July 1956, being the date on which the Trustee

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(1) (Rev. XX, p. 584: 1929 p. 1282).

(2) (1900, p. 795).

Savings Banks (Amendment) Regulations 1956<sup>(3)</sup> came into operation, and any such nomination shall continue to be governed by the said Regulations of 1929 as originally made.

## DEATH OF DEPOSITOR

### Proof of death

16.—(1) The trustees may require proof to their satisfaction of the death of a depositor.

(2) The trustees may accept as conclusive proof of the death of a depositor and of the date of the death of a depositor such statement or information as the trustees may in their absolute discretion think fit, and a statement or information to their satisfaction that a depositor has not been heard of for a period of seven years or more may be accepted by them as conclusive proof of the death of such depositor.

(3) Any payment which may be made under these Regulations in reliance on such statement or information as aforesaid shall be a good discharge to the trustees for the sum paid, notwithstanding that the depositor may be in fact alive at the time of such payment.

(4) In this Regulation the expression “depositor” includes any person beneficially interested at any time in the personal estate of a deceased depositor or who, in certain circumstances, would be or would have been beneficially interested at any time in the personal estate of a deceased depositor.

### Law applicable on death of depositor

17.—(1) In the event of the death of a depositor, any payment under these Regulations made in accordance with the law of the place in which the depositor resided at the date of his death shall be a good discharge to the trustees for the sum so paid unless express notice in writing that the depositor was domiciled elsewhere shall have been received by the trustees prior to such payment, and for the purposes of this Regulation the trustees may accept as conclusive proof of the place of residence of a depositor at the date of his death such statement or information as they may in their absolute discretion think fit.

(2) In this Regulation the expression “depositor” includes any person beneficially interested at any time in the personal estate of a deceased depositor or who, in certain circumstances, would be or would have been beneficially interested at any time in the personal estate of a deceased depositor.

### Payment without a grant of representation

18.—(1) Where the total amount due by the trustees of a trustee savings bank to a depositor at the time of his death does not exceed £500, exclusive of interest, and probate of his will is not, or letters of administration to his estate are not, produced to the trustees within such time as they think reasonable, if such depositor has made no nomination, or so far as any nomination does not extend, the trustees may, without requiring probate of the will or letters of administration to the estate of the depositor, in their discretion pay or distribute the amount so due or any part thereof to or among the following person or persons or any one or more of the following persons (exclusively of the others) who shall in the opinion of the trustees establish a valid claim to the said amount or any part thereof—

- (a) a person entitled to take out probate of the will of the depositor or letters of administration to his estate;
- (b) a person who has paid the funeral expenses of the depositor;
- (c) a creditor of the depositor;
- (d) a person who has a beneficial interest in the estate of the depositor;

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(3) (1956 II, p. 2194).

- (e) a person undertaking to maintain any person who by reason of any incapacity whatsoever (including minority) is unable to give the trustees a legal discharge for the moneys or for a share of the moneys of a deceased depositor due under this Regulation to the person who is unable to give a legal discharge as aforesaid;
- (f) if the depositor was a British subject and his relatives reside outside the United Kingdom, the Isle of Man and the Channel Islands, such officer or authority as shall appear to the trustees to be suitable to dispose of the amount due in accordance with the appropriate law;
- (g) if the depositor was a seaman of a foreign country, being a country with which a treaty has been made in respect of the payment of moneys due to seamen, the consular authority of that country;
- (h) if the depositor was a foreign subject, not being a seaman to whom the provisions of subparagraph (g) above apply, the consular authority of the country to which the depositor belonged, or such other consular authority as may appear to the trustees to be appropriate, on such assurance as to the ultimate disposition of the amount due as is satisfactory to the trustees;
- (i) in a case where the estate of the depositor appears to have devolved upon the Crown, the Duchy of Lancaster or the Duchy of Cornwall, the Treasury Solicitor, the Solicitor to the Duchy of Lancaster, or the Solicitor to the Duchy of Cornwall, as the case requires.

(2) The receipt of any person to whom payment may be made under this Regulation or under Regulation 14(6) above shall be a good discharge to the trustees for the sum paid, and any such receipt may be signed by any such person who has attained the age of 16 years, notwithstanding that he has not attained the age of 18 years.

### **Death duties**

**19.**—(1) Where on the death of a depositor the aggregate value of the specified assets (hereinafter defined) exceeds £3,000, the trustees shall, before making any payment or transfer of a sum standing to the credit of such depositor either alone or jointly with any other depositor whose name was added to the account at the request of the deceased depositor (not being a sum in respect of which it is shown to the satisfaction of the trustees that the deceased depositor had no interest therein otherwise than as a trustee), require the production of a statement from the Commissioners of Inland Revenue to the effect either that no death duties are payable in respect of that sum or that any death duties so payable have been paid:

Provided that the production of such a statement shall not be required—

- (a) where the payment or transfer is made to or as directed by the legal personal representative of the deceased depositor, or
- (b) where the deceased depositor was at the time of his death domiciled in Northern Ireland, the Isle of Man or the Channel Islands.

(2) In this Regulation the expression “the specified assets” means the following assets (not being assets in respect of which it is shown to the satisfaction of the trustees that the deceased depositor had no interest therein otherwise than as a trustee):—

- (a) the total amount (including interest) which, at the date of the death of the depositor, stands to the credit of all accounts in the trustee savings bank in his name alone or in his name jointly with any other person,
- (b) all stock and securities registered in the name of the deceased depositor alone or in his name and the name of any other person as joint holders on the portion of the National Savings Stock Register kept by the trustees of the trustee savings bank, and



- (c) the total amount (including any bonus or interest) which would have been repayable (if repayment had been demanded) at the date of the death of the depositor in respect of all savings contracts entered into by him and registered by the trustees of the trustee savings bank under a contractual savings scheme certified by the Treasury in accordance with section 415(2) of the Income and Corporation Taxes Act 1970.
- (3) For the purposes of this Regulation, the value of the stock and securities referred to in paragraph (2)(b) above shall be—
- (a) in the case of Defence Bonds, National Development Bonds, British Savings Bonds and any other securities which can be held only on the National Savings Stock Register, the nominal capital amount thereof; and
  - (b) in all other cases, the market value thereof at the date of the death of the depositor.

## MISCELLANEOUS

### **Signature of certificate for transfer to another trustee savings bank**

**20.** The certificate required to be furnished for the purpose of the transfer of the account of a depositor from one trustee savings bank to another shall be signed by one trustee or manager, or, in the case of a trustee savings bank open for more than six hours in every week, by a paid officer of the trustee savings bank duly appointed for the purpose by resolution of the trustees:

Provided that the appointment and signature of every officer so appointed shall have been previously certified to the Commissioners by two trustees.

### **Application to Scotland**

- 21.—**(1) In the application of these Regulations to Scotland—
- (a) any reference to a mentally disordered person shall be construed as a reference to a person who is incapable by reason of mental disorder within the meaning of the Mental Health (Scotland) Act 1960 of managing and administering his property and affairs;
  - (b) any reference to a receiver in relation to a mentally disordered person shall be construed as a reference to a curator bonis, guardian or tutor;
  - (c) any reference to a receiving order shall be construed as a reference to an award of sequestration;
  - (d) any reference to a trustee in bankruptcy shall be construed as a reference to a judicial factor or trustee appointed under the Bankruptcy (Scotland) Act 1913;
  - (e) any reference to probate or letters of administration shall be construed as a reference to confirmation of an executor;
  - (f) any reference to the Treasury Solicitor shall be construed as a reference to the Queen's and Lord Treasurer's Remembrancer.

(2) Where on the death of a depositor domiciled in Scotland, who has made a nomination, the trustees have notice of a claim of any person entitled on the ground of *jus relictii*, *jus relictiae* or *legitim* to any part of the moveable estate of such depositor, and such estate, apart from the amount nominated, appears to be insufficient to satisfy such claim, the trustees may in their discretion apply the amount nominated in or towards the satisfaction of such claim, but, subject as aforesaid, any payment made by the trustees to the nominee (irrespective of the amount due to the depositor at his death) shall be a valid payment, and the receipt of the nominee shall be a good discharge to the trustees for the sum so paid.

(3) It shall not be necessary to obtain the sanction of the Treasury to the withdrawal by a Sheriff Clerk of moneys standing in his name as such.

### **Application to Northern Ireland**

- 22.**—(1) These Regulations shall extend to Northern Ireland.
- (2) In the application of these Regulations to Northern Ireland—
- (a) any reference to a mentally disordered person shall be construed as a reference to a person who, by reason of unsoundness of mind, or of mental disorder within the meaning of the Mental Health Act (Northern Ireland) 1961, is or is considered incapable of managing his affairs;
  - (b) any reference to a receiver in relation to a mentally disordered person shall be construed as a reference to a committee or any other person appointed pursuant to the Lunacy Regulation (Ireland) Act 1871 and the orders made thereunder to exercise with respect to the estate of such person powers similar to those of a committee;
  - (c) any reference to a receiving order shall be construed as a reference to an order of adjudication of bankruptcy, or to an order in any arrangement operating by virtue of section 349 of the Irish Bankrupt and Insolvent Act 1857 to vest a deposit in the Official Assignee alone or jointly with any person;
  - (d) any reference to the Official Receiver shall be construed as a reference to the Official Assignee in Bankruptcy;
  - (e) any reference to the Treasury Solicitor shall be construed as a reference to the Chief Crown Solicitor for Northern Ireland;
  - (f) any reference to the Commissioners of Inland Revenue shall be construed as a reference to the Ministry of Finance for Northern Ireland.

### **Application to the Isle of Man**

- 23.**—(1) These Regulations shall extend to the Isle of Man.
- (2) In the application of these Regulations to the Isle of Man—
- (a) any reference to a receiver in relation to a mentally disordered person shall be construed as a reference to the committee of the estate of a person found of unsound mind according to the law of the Isle of Man or to a receiver appointed under section 3 of the Mental Diseases Act 1954 of the Isle of Man, as the case may be;
  - (b) any reference to the Treasury Solicitor shall be construed as a reference to the Attorney-General of the Isle of Man.

### **Application to the Channel Islands**

- 24.**—(1) These Regulations shall extend to the Channel Islands.
- (2) In the application of these Regulations to Jersey—
- (a) any reference to a mentally disordered person shall be construed as a reference to a person suffering from mental disorder within the meaning of the Mental Health (Jersey) Law 1969;
  - (b) any reference to a receiver in relation to a mentally disordered person shall be construed as a reference to a curator;
  - (c) any reference to a receiving order shall be construed as a reference to a declaration of “désastre”;
  - (d) any reference to the Official Receiver shall be construed as a reference to Her Majesty's Viscount for Jersey or to an “attourné” appointed in bankruptcy, as the case may be;

- (e) any reference to the Treasury Solicitor shall be construed as a reference to Her Majesty's Receiver General for Jersey;
  - (f) nominations under Regulation 11 above shall only be made if they are within the testamentary powers of the nominator according to Jersey law;
  - (g) any reference to the age of majority shall be construed as a reference to the age of majority by Jersey law.
- (3) In the application of these Regulations to Guernsey, Alderney and Sark—
- (a) any reference to a mentally disordered person shall be construed as a reference to a person who under any law for the time being in force in any of the Islands of the Bailiwick of Guernsey is a person of unsound mind;
  - (b) any reference to a receiver in relation to a mentally disordered person shall be construed as a reference to a guardian appointed by the Royal Court of Guernsey, the Court of Alderney or the Court of the Seneschal of Sark, as the case may be;
  - (c) any reference to the Treasury Solicitor shall be construed as a reference to Her Majesty's Receiver-General;
  - (d) for Regulation 7 of these Regulations there shall be substituted the following Regulation:  
—

“7. Where it is shown to the satisfaction of the trustees that any person who is the sole depositor is insolvent, the trustees may, if they think fit, pay the deposits standing in the name of such depositor or any part thereof to any person who makes application in that behalf and who satisfies them that he is a proper person to receive payment.”

### **Revocation and savings**

**25.—**(1) The Regulations specified in the Schedule to these Regulations are hereby revoked.

(2) In so far as any application, declaration, payment, transfer or nomination made, approval, notice or receipt given, document issued, or other thing done, under any Regulations revoked by paragraph (1) above could have been made, given, issued or done under a corresponding provision of these Regulations, it shall not be invalidated by the revocation, but shall have effect as if made, given, issued or done under that corresponding provision.

(3) The mention of particular matters in this Regulation shall be without prejudice to the general application of section 38 of the Interpretation Act 1889 as it applies for the interpretation of these Regulations.

10th April 1972

*V. H. Goodhew*  
*Tim Fortescue*  
Two of the Lords Commissioners of Her  
Majesty's Treasury

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I concur.

11th April 1972

*I. de Lisle Radice*  
On behalf of the National Debt Commissioners

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## SCHEDULE

Regulation 25(1)

<i>Regulations revoked</i>	<i>References</i>
The Trustee Savings Banks Regulations 1929.	S.R. & O. 1929/1048 (Rev.XX, p.584; 1929, p. 1282).
The Trustee Savings Banks (Amendment) Regulations 1956.	S.I. 1956/1066 (1956 II, p. 2194).
The Trustee Savings Banks (Amendment) (No. 2) Regulations 1956.	S.I. 1956/1179 (1956 II, p. 2195).
The Trustee Savings Banks (Amendment) Regulations 1960.	S.I. 1960/2335 (1960 III, p. 3065).
The Trustee Savings Banks (Amendment) Regulations 1961.	S.I. 1961/2414 (1961 III, p.4458).
The Trustee Savings Banks (Amendment) Regulations 1965.	S.I. 1965/573 (1965 I, p. 1794).
The Trustee Savings Banks (Amendment) Regulations 1969.	S.I. 1969/1700 (1969 III, p. 5355).

## EXPLANATORY NOTE

These Regulations consolidate with minor amendments the Trustee Savings Banks Regulations 1929 as amended.