
STATUTORY INSTRUMENTS

2011 No. 1780

**The Individual Savings Account
(Amendment No. 2) Regulations 2011**

Amendments to the Individual Savings Account Regulations 1998

- 18.** In regulation 12 (conditions for application to subscribe to an account)—
- (a) for the heading substitute “Conditions for application to open an account that is not a junior ISA account”;
 - (b) in paragraph (1) for “subscribe to” substitute “open”;
 - (c) in paragraph (3)—
 - (i) in the opening words, for “shall provide for” substitute “must contain”,
 - (ii) in sub-paragraph (a), for “subscribe to” substitute “open”,
 - (iii) in sub-paragraph (ea) for “regulation 4(2)” substitute “regulation 4ZA(1)”,
 - (iv) in sub-paragraph (eb) for “regulation 4(3)” substitute “regulation 4ZA(1)(a) or (2)”,
 - (v) omit sub-paragraph (g);
 - (d) in paragraph (4)—
 - (i) omit “and” immediately preceding sub-paragraph (d);
 - (ii) immediately before the end of sub-paragraph (d), insert—
“
 (e) the authorisation specified in paragraph (4A)”;
 - (e) after paragraph (4) insert—
“
 (4A) The authorisation specified by this paragraph is authority given by the applicant to the account manager—
 - (a) to hold the subscriptions, account investments, interest, dividends and any other rights or proceeds in respect of those investments and cash;
 - (b) to make on behalf of the applicant any claims to relief from tax in respect of account investments; and
 - (c) to make a record in writing in accordance with paragraph (7) where that paragraph requires the account manager to do so.”;
 - (f) for paragraph (7) substitute—
“
 (7) Where an application is not in writing or the manager operates a record system under which all original written applications are not retained—
 - (a) the account manager must, immediately after receiving the application, record in writing on behalf of the applicant, the declaration required by paragraph (3) and authorisation required by paragraphs (4)(e) and (4A);
 - (b) the account manager must notify the applicant of the contents of the written record within 5 business days of making it; and

- (c) the written record (as amended by any corrections notified to the account manager by the applicant within 30 days of the notification mentioned in sub-paragraph (b)) shall be treated as the applicant’s declaration required by paragraph (3) and authorisation required by paragraphs (4)(e) and (4A).”;
- (g) omit paragraph (7A);
- (h) for paragraph (10) substitute—
 - “(10) Where an account manager is required by paragraph (7) to make a record in writing—
 - (a) a record shall be regarded as being a written record if it is produced by electronic means;
 - (b) the notification of the contents of the record by the account manager to the applicant required by paragraph (7)(b) may be sent to the applicant by telephonic facsimile transmission or by electronic communication.”;
- (i) after paragraph (11) insert—
 - “(11A) In paragraph (3), references to subscriptions to an account do not include subscriptions to an account that is a junior ISA account.”.