## STATUTORY INSTRUMENTS

# 2015 No. 623

# The National Savings Regulations 2015

# PART 3

General provisions

## CHAPTER 1

## Protections

## Notice of trust not receivable by Director of Savings

**39.**—(1) No notice of a trust can be received by the Director of Savings in relation to a deposit made under these Regulations.

(2) The Director of Savings shall not be affected with a notice of a trust contained in a description of a depositor as a trustee or a declaration in a document relating to an account made for the purposes of these Regulations.

## **Powers of attorney**

**40.**—(1) Where, under a power of attorney, the donee of the power makes, or joins in making, an application for the transfer or withdrawal of deposits standing in the name of the donor (or in the donor's name jointly with any other person) the Director of Savings may act according to the application for the purposes of these Regulations.

- (2) Despite it appearing—
  - (a) from the power of attorney;
  - (b) from any evidence required for the purposes of the power of attorney;
  - (c) from the description of the donor, or
  - (d) otherwise,

that deposits are held on trust, the Director of Savings in making a transfer or payment under paragraph (1) shall not be affected with any notice of the trust.

(3) When a donee, in making an application to withdraw or transfer deposits in accordance with these Regulations, purports to act under a power of attorney, that shall be conclusive evidence for the Director of Savings that the donee is authorised by the power of attorney, unless the Director of Savings has notice otherwise at the time.

#### Indemnity of the Director of Savings and officers

**41.**—(1) The Director of Savings, and any person acting under the Director of Savings' authority shall not be liable in relation to any payment made or act done in accordance with—

- (a) the 1971 Act;
- (b) these Regulations; or

(c) other regulations made under the 1971 Act,

and any such payment shall be deemed to have been a valid payment.

(2) The Director of Savings shall not be responsible for the misapplication of any amount payable on a warrant by—

- (a) a friendly society, charitable society or other society (including an unincorporated body of persons), body corporate, or corporation sole, or by a trustee, director, officer or representative of any such society, body or corporation;
- (b) an officer or representative of a government department or public authority; or
- (c) by a person referred to in regulations 18 to 20,

or anyone authorised by those persons to receive payment.

(3) This regulation is subject to regulation 44 (saving for rights of third parties).

#### Receipts to be a full discharge

**42.** The receipt of a person to whom an amount is paid in accordance with these Regulations shall be a full discharge to the Treasury and the Director of Savings for that amount.

### Posting to be regarded as delivery

**43.** The posting of a letter containing a warrant or cash payment advice issued under these Regulations to a person at the last address given by that person to the Director of Savings shall, as regards the liability of the Treasury or the Director of Savings, be equivalent to the delivery of the warrant or cash payment advice to that person.

#### Saving for rights of third parties

**44.**—(1) Nothing in these Regulations (or in any regulations they revoke) that operates for the protection of the Treasury, the Commissioners, the Director of Savings or the Postmaster General in relation to any payment made or act done shall operate—

- (a) to prevent the recovery by a person (or that person's representatives), to whom an amount is due by law, of that amount from a person to whom it was paid (or from the representatives of that person) by or under the direction of the Director of Savings or the Postmaster General; or
- (b) to affect the rights of a person (or that person's representatives) in relation to a deposit against a third party.

#### Saving for rights of beneficiaries under trusts

**45.** Nothing in these Regulations relating to a trustee shall, as between trustees or as between a trustee and a beneficiary under a trust, be deemed to authorise a trustee to act otherwise than in accordance with legal requirements applying to the trust and the terms of the instrument (if any) constituting the trust.

## **CHAPTER 2**

Identity, etc.

#### **Evidence of identity**

46.—(1) The Director of Savings may require satisfactory evidence of the following—

(a) the identity of a person;

- (b) the title of a person to a deposit, or to money;
- (c) the authority of a person to apply to withdraw or transfer a deposit;
- (d) that anything purporting to have been done under these Regulations has been done; or
- (e) anything else on which the exercise of the Director of Saving's powers or performance of duties under these Regulations depends,

and the Director of Savings may for the purpose of obtaining the evidence require a statutory declaration to be made.

(2) The Director of Savings may accept as conclusive proof of the death of a depositor any evidence which establishes to the Director of Savings' satisfaction that the depositor has not been heard of for a period of seven years or more (and, for the purposes of this paragraph, "depositor" includes any person beneficially interested at any time, whether absolutely or contingently, in the personal estate of the deceased).

## Persons unable to write

**47.** Where a document is required by the Director of Savings or by these Regulations to be signed by a person and that person is unable to write, it is sufficient for the document to be marked by that person in the presence of a witness in a manner required by the Director of Savings.

## Persons under disability

**48.** If any depositor is a person who lacks capacity or is under legal disability for any reason other than age, anything which under these Regulations is required or authorised to be done by or to that person is to be done by or to a deputy or other person having power in law to administer the estate.

## CHAPTER 3

## Nominations

#### Nominations made before 1st May 1981

**49.**—(1) For the purposes of these Regulations a nomination made after 30th April 1981 has no effect.

- (2) A "nomination" means a nomination—
  - (a) by a depositor (the "nominator") who at the time of the nomination had attained the age of sixteen years;
  - (b) that was made before 1st May 1981; and
  - (c) that was accepted and recorded or registered by the Director of Savings,

directing that, on death, the nominator's interest devolve on one or more persons (the "nominee" or "nominees") according to the manner specified in the nomination.

(3) In relation to deposits, a nomination made before the coming into force of these Regulations extends to—

- (a) all amounts to which a nominator is entitled at the time of death in relation to a savings bank annuity or insurance; and
- (b) to deposits held in the name of the nominator,

unless any such amount or deposit is expressly excluded in the nomination.

(4) A person who attested the signature of a nominator of a nomination may not benefit under the nomination.

#### Particulars to be furnished by nominator to Director of savings

**50.**—(1) For the purposes of these Regulations, when a change occurs in relation to an interest to which a nomination relates, the nominator must—

- (a) make the necessary corrections to the particulars in the nomination; and
- (b) forward the amended nomination to the Director of Savings immediately.

(2) Where, because of the failure of a nominator to comply with paragraph (1), an amount payable under a nomination is paid, or any transfer is made, to a person other than the nominee or a person claiming through the nominee, that payment or transfer shall, subject to regulation 44 (saving for rights of third parties), be as valid as if the nomination had not been made.

## **Revocation of nominations**

51.—(1) For the purposes of these Regulations, a nomination is revoked—

- (a) on 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 it relates to the interest of a nominee where there are two or more nominees, on the death of that nominee in the lifetime of the nominator (unless the interest of that nominee is disposed of by the nomination);
- (c) on the marriage of or formation of a civil partnership by the nominator;
- (d) by written notice of revocation given in accordance with this regulation;
- (e) if a subsequent nomination was made before 1st May 1981 by the same nominator, to the extent that subsequent nomination disposes of either the whole or part of the nominator's interests that were disposed of by the earlier nomination,

but a nomination cannot be revoked by any other act, event or means.

- (2) A notice of revocation of a nomination must-
  - (a) be signed by the nominator in the presence of a witness, who must attest the signature of the nominator; and
  - (b) be sent to the Director of Savings during the lifetime of the nominator,

without which it shall be of no effect.

(3) Despite a nomination having been revoked by the marriage of, or formation of a civil partnership by, the nominator, any payment or transfer which—

- (a) is made or registered by the Director of Savings before the marriage or civil partnership is notified to the Director of Savings; and
- (b) would otherwise have been lawful had the nomination not been revoked,

shall, subject to regulation 44 (saving for rights of third parties), be as valid as if the nomination had not been revoked.

## Nominations which also apply to stock held in the books of the Bank of England

**52.**—(1) This regulation applies to a nomination which, under article 18 of the National Savings Stock Register (Closure of Register to Gilts) Order 1998(1), extends to any stock transferred from that register to the books of the Bank of England by article 4 of that Order(2).

<sup>(1)</sup> S.I. 1998/1446; article 18 was amended by S.I. 2004/1662.

<sup>(2)</sup> There have been no relevant amendments to article 4.

(2) A notice of revocation of a nomination under regulation 51, in relation to stock, shall be of no effect unless sent to the Director of Savings or the Registrar of Government Stock during the lifetime of the nominator.

(3) Where the Director of Savings or the Registrar of Government Stock receives a notice of revocation of the nomination, that person must notify and provide a copy of the notice (and reasonable access to the original) to the other.

(4) On receiving a notice (or a copy of a notice) under paragraph (3), the Director of Savings and the Registrar of Government Stock must record the revocation.

(5) Where the Director of Savings or the Registrar of Government Stock is notified of the death of a nominator, that person must notify the other.

## **CHAPTER 4**

## Death of depositors and holders

#### Law applicable on the death of a depositor

**53.** On the death of a depositor the Director of Savings may make a payment for the purposes of these Regulations in accordance with the law of the place where the depositor or holder resided at the date of death, unless the Director of Savings has received notice in writing that the depositor or holder was at the date of death domiciled elsewhere.

## Payment without a grant of representation

**54.**—(1) Where, on the death of a depositor the amount held in the depositor's name does not exceed  $\pounds 5,000$  and no probate of the will or letters of administration to the estate are produced to the Director of Savings within what is considered by the Director of Savings to be a reasonable period, the Director of Savings may, for the purposes of these Regulations, pay the amount (or any part of it) in accordance with paragraph (2).

- (2) The Director of Savings may pay the amount—
  - (a) to a person appearing to the Director of Savings to be entitled to take out probate of the will or letters of administration to the estate;
  - (b) where the deceased has left a will in relation to which the Director of Savings is satisfied that probate or letters of administration would be granted, to a person to whom the amount (or any part of it) would be payable under the will (as appears to the Director of Savings), if probate or letters of administration were granted;
  - (c) to a person who satisfies the Director of Savings of their entitlement to receive the amount (or any part of it), being—
    - (i) a person who has paid the funeral expenses of the deceased;
    - (ii) a creditor of the deceased; or
    - (iii) a person who has a beneficial interest in the estate of the deceased;
  - (d) if the deceased was a British citizen and the next of kin appears to the Director of Savings to reside outside the United Kingdom, the Isle of Man and the Channel Islands, to any officer or authority who, as appears to the Director of Savings, may be entrusted with distributing the amount properly;
  - (e) if the deceased was a seaman of a foreign country, being a country with which a treaty has been made in relation to the payment of money due to seamen, to the consular authority of that country;
  - (f) if the deceased was a foreign subject, not being a seaman to whom sub-paragraph (e) applies, to the consular authority of the country to which the deceased belonged, or to any

authority who, as appears to the Director of Savings, may be entrusted with distributing the amount properly;

(g) in a case where the estate of the deceased appears to the Director of Savings to have devolved upon the Crown, the Duchy of Lancaster or the Duchy of Cornwall, to the Treasury Solicitor, the Solicitor for the affairs of the Duchy of Lancaster, or the Solicitor for the affairs of the Duchy of Cornwall respectively,

but where a person to whom an amount may be paid under subparagraph (b) or (c) has died before payment, the amount (or any part of it) may be paid to a person to whom it would be paid as if the first mentioned person was, immediately before death, a person in paragraph (1).

(3) Despite any legal requirement to the contrary, a person to whom an amount may be paid under paragraph (2)(b) or (c) (or under the proviso to paragraph (2)) may, if having attained the age of sixteen years, give a receipt for the payment in an approved manner and the receipt shall be valid without the signature of another person; but if that person by reason of age or for any other reason may not accept payment, the Director of Savings may pay the amount to a person who the Director of Savings is satisfied will apply it for the maintenance or otherwise for the benefit of that person.

(4) Subject to paragraph (3), the Director of Savings in making a payment under paragraph (2) (b) or (c) (or under the proviso to paragraph (2)) must have regard to legal requirements relating to the distribution of the estates of deceased persons, but the Director of Savings may depart from those requirements to the extent it is considered by the Director of Savings that they would cause hardship or inconvenience.

- (5) In this regulation "will" includes a codicil.
- (6) Nothing in this regulation affects the operation of a nomination made under these Regulations.

## Death duties or inheritance tax chargeable on death of depositors

**55.**—(1) This regulation applies on the death of a depositor where the aggregate value of the specified assets exceeds  $\pounds$ 50,000.

(2) The Director of Savings must, before paying or transferring deposits held in the name of the depositor (either alone or jointly with another depositor) for the purposes of these Regulations, seek a statement from the Commissioners of Her Majesty's Revenue and Customs confirming that death duties, or inheritance or capital transfer tax (being inheritance or capital transfer tax chargeable on the death of the depositor or holder) either are not payable, or have been paid.

- (3) A statement under paragraph (2) is not required—
  - (a) where the payment or transfer is made to or on the direction of—
    - (i) the deceased's legal personal representative acting under probate or letters of administration granted by a court in the United Kingdom; or
    - (ii) the Public Trustee, the Official Receiver, or the trustee in bankruptcy of the estate of the deceased;
  - (b) where the deceased was at the time of death domiciled in the Isle of Man or the Channel Islands;
  - (c) where the beneficial interest in the deposit has passed to the spouse or civil partner of the deceased in circumstances in which death duties or inheritance or capital transfer tax are not payable.

(4) In this regulation "the specified assets" means the following assets (not being assets in relation to which the deceased was a trustee) at the date of death—

(a) the total amount (including interest) held in all accounts in the deceased's name alone, or jointly with another person, in the National Savings Bank;

- (b) the total amount which would have been repayable (had repayment been demanded) in relation to all certificates recorded in the deceased's name alone, or jointly with another person;
- (c) the total amount repayable and any other amount payable in relation to all bonds recorded in the deceased's name;
- (d) the total amount (including any bonus or interest) which would have been repayable (had repayment been demanded) in relation to all savings contracts entered into by the deceased and registered by the Director of Savings under a contractual savings scheme certified by the Treasury in accordance with section 326(2) of the Income and Corporation Taxes Act 1988(3);
- (e) (i) in relation to a deceased depositor or holder of a certificate, all stock and securities registered in the National Savings Stock Register in the sole name of the depositor or holder, or in the depositor or holder's name jointly with any other person;
  - (ii) in relation to a deceased holder of stock, all stock registered in the register in the deceased's name alone or jointly with any other person; and
- (f) in relation to a deceased holder of a certificate, the total amount (including interest) which would have been repayable (had repayment been demanded) in relation to all agreements entered into or certificates held by the deceased in accordance with the Savings Certificates (Yearly Plan) Regulations 1984(4).
- (5) The value of stock or securities referred to in paragraph (4)(e) shall be-
  - (a) in the case of stock which is of a description corresponding to stock or securities transferable in the registers kept by the Registrar of Government Stock in accordance with regulations under section 47 of the Finance Act 1942(5) (see regulation 7 (registers of stock and stockholders) of the Government Stock Regulations 2004(6)), the market value; or
  - (b) in all other cases, the capital value.

## **CHAPTER 5**

## Other administrative provisions

## **Defective applications**

**56.** The Director of Savings may refuse to accept an application required by these Regulations to be made in the approved form if—

- (a) it does not include the full particulars required for the purposes of the application; or
- (b) it is not signed by the person making the application.

## **Rectification of mistakes**

**57.** In the case of an investment account for which terms and conditions have been set under section 9A(1) of the 1971 Act(7), or an individual savings account, where a first or any other deposit is made or received in error, the Director of Savings may return the deposit and cancel all actions taken in relation to it, or may take such other steps as may be necessary to give effect to the intention of the parties.

<sup>(</sup>**3**) 1988 c. 1.

<sup>(4)</sup> S.I. 1984/779.

<sup>(5) 1942</sup> c. 21; Section 47 was amended by section 3 of the Stock Transfer Act 1982 (c. 41).

<sup>(6)</sup> S.I. 2004/1611.

<sup>(7)</sup> Section 9A was inserted by the Finance Act 2003 (c. 14), section 208(11).

## CHAPTER 6

## Application, revocation and savings

## Law applicable to crossed warrants

**58.** Section 76(1), (3), (4) and (5) (so far as it relates to crossed cheques) and sections 77(6) and 78 to 81 of the Bills of Exchange Act 1882(8) (which relate to crossed cheques), and sections 3 and 4 of the Cheques Act 1957(9) (which relate to unendorsed cheques as evidence of payment and to the protection of collecting bankers), apply to a crossed warrant issued under these Regulations as if it were a cheque drawn on the Director of Savings by the officer issuing the crossed warrant, but nothing in these Regulations makes a crossed warrant negotiable.

#### **Disapplication of certain regulations**

**59.**—(1) Regulations 7 to 9, 11 to 21, 23, 24, 25(5) and (6), 26(3) to (7), 28, 30, 32, 33, 34, 49, 50 and 51 do not apply in relation to an investment account of any description for which terms and conditions have been set pursuant to section 9A(1) of the 1971 Act.

(2) Regulations 7 to 9, 11 to 17, 19, 21, 23, 33, 49, 50, 61 and 62 do not apply to individual savings accounts.

#### **Application to Scotland**

60. In the application of these Regulations to Scotland—

- (a) a reference to a person who lacks capacity must be construed as a reference to a person who is incapable by reason of mental disorder within the meaning of the Mental Health (Care and Treatment) (Scotland) Act 2003(10) of managing and administering that person's property and affairs;
- (b) a reference to a deputy in relation to a person who lacks capacity must be construed as a reference to a curator bonis, guardian, or tutor;
- (c) a reference to a receiving order must be construed as a reference to an award of sequestration;
- (d) a reference to the Official Receiver must be constructed as a reference to the trustee or judicial factor in bankruptcy;
- (e) a reference to probate, letters of administration or letters of administration with the will annexed must be construed as a reference to confirmation of an executor;
- (f) a reference to the Treasury Solicitor must be construed as a reference to the Queen's and Lord's Treasurer's Remembrancer;
- (g) a reference to the Chief Registrar of Friendly Societies must be construed as a reference to the Assistant Registrar of Friendly Societies for Scotland.

## **Application to Northern Ireland**

61. In the application of these Regulations to Northern Ireland—

(a) a reference to a friendly society must be construed as a reference to a friendly society (or a branch of that society) registered or deemed to be registered under the Friendly Societies Act (Northern Ireland) 1970(11);

<sup>(8) 1882</sup> c. 61; section 80 was amended by the Cheques Act 1992 (c. 32), section 2.

<sup>(9) 1957</sup> c. 36.

<sup>(10) 2003</sup> asp 13.

<sup>(11) 1970</sup> c. 31 (N.I.).

- (b) a reference to a person who lacks capacity must 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 (Northern Ireland) Order 1986(12), is or is considered incapable of managing that person's affairs;
- (c) a reference to a deputy in relation to a person who lacks capacity must be construed as a reference to a controller or other person appointed under the Mental Health (Northern Ireland) Order 1986 (and orders made under that Order) to exercise with respect to the estate of that person powers similar to those of a committee;
- (d) a reference to a bankruptcy order must 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(13) to vest a deposit in the Official Assignee alone or jointly with any person;
- (e) a reference to the Official Receiver must be construed as a reference to the Official Assignee in Bankruptcy;
- (f) a reference to the Treasury Solicitor must be construed as a reference to the Crown Solicitor for Northern Ireland.

#### Application to the Isle of Man

62. In the application of these Regulations to the Isle of Man—

- (a) a reference to a person who lacks capacity must be construed as a reference to a person who is incapable by reason of mental disorder within the meaning of the Mental Health Act 1998(14) (an Act of Tynwald) of managing and administering that person's property and affairs;
- (b) a reference to a deputy in relation to a person who lacks capacity must be construed as a reference to a deputy or other person authorised in that capacity under Part VII of that Act;
- (c) a reference to the Building Societies Act 1962(15) must be construed as a reference to the Industrial and Building Societies Acts 1892 to 1986 of the Isle of Man(16);
- (d) a reference to a bankruptcy order must be construed as a reference to a receiving order or an order of adjudication of bankruptcy;
- (e) a reference to the Treasury Solicitor must be construed as a reference to Her Majesty's Attorney General of the Isle of Man.

## **Application to the Channel Islands**

63.—(1) In the application of these Regulations to Jersey—

- (a) a reference to a person who lacks capacity must be construed as a reference to a person suffering from mental disorder within the meaning of the Mental Health (Jersey) Law 1969(17);
- (b) a reference to a deputy in relation to a person who lacks capacity must be construed as a reference to a curator;
- (c) the reference in regulation 58 to sections 3 and 4 of the Cheques Act 1957 must be construed as references to articles 3 and 4 of the Cheques (Jersey) Law 1957(18);

<sup>(12)</sup> S.I. 1986/595 (N.I. 4).

<sup>(13)</sup> SR (N.I.) 1991/364.

<sup>(14)</sup> AT 8 of 1998.

<sup>(15) 1962</sup> c. 37.

<sup>(16)</sup> AT 6 of 1892, AT 4 of 1928, AT 3 of 1953, AT 6 of 1955, AT 16 of 1979 and AT 7 of 1986.

<sup>(17)</sup> Law 18 of 1969.

<sup>(18)</sup> Law 2 of 1958.

- (d) a reference to a bankruptcy order must be construed as a reference to a declaration of "desastre";
- (e) a reference to the Official Receiver must be construed as a reference to Her Majesty's Viscount for Jersey or to an "attourne" appointed in a bankruptcy, as the case may be;
- (f) a reference to the Treasury Solicitor must be construed as a reference to Her Majesty's Receiver General for Jersey;
- (g) a reference to a statutory declaration must be construed as a reference to a declaration on oath before the Bailiff, a Jurat, the Magistrate or a notary public;
- (h) a nomination made by a depositor domiciled in Jersey of any person to receive an amount due to the depositor at death, shall take effect only as to that portion of the personal estate over which that person had power of testamentary disposition according to the law of Jersey, but a payment made to a nominee without notice of the depositor's incapacity to dispose of the whole or any portion of the estate nominated shall be a valid payment.
- (2) In the application of these Regulations to Guernsey, Alderney and Sark—
  - (a) a reference to a person who lacks capacity must 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) a reference to a deputy in relation to a person who lacks capacity must 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) a reference to the Treasury Solicitor must be construed as a reference to Her Majesty's Receiver-General;
  - (d) a reference to a statutory declaration must be construed as a reference to a declaration on oath before a notary public or—
    - (i) in Guernsey, before the Bailiff or Deputy Bailiff, a Jurat of the Royal Court or the Magistrate;
    - (ii) in Alderney, before a Jurat of the Court of Alderney;
    - (iii) in Sark, before the Seneschal;
  - (e) the reference in regulation 58 to section 76(1), (3), (4) and (5) (so far as it relates to crossed cheques) and sections 77(6) and 78 to 81 of the Bills of Exchange Act 1882 must be construed likewise as references to section 75(1), (3), (4) and (5) and sections 76(6) and 77 to 80 of the Bills of Exchange (Guernsey) Law 1958(19), and the reference to sections 3 and 4 of the Cheques Act 1957 must be construed as a reference to sections 83 and 84 of the Bills of Exchange (Guernsey) Law 1958;
  - (f) (i) in relation to deposits, regulation 29 (withdrawals in the case of bankrupt sole depositors) should be read as if there is substituted—

**"29.** Where it appears to the Director of Savings that a sole depositor is insolvent, the Director of Savings may pay the deposits held in the name of the depositor to a person the Director of Savings is satisfied is a proper person to receive payment, on application by that person.";

(g) a nomination made by a depositor or holder of stock domiciled in the Bailiwick of Guernsey of any person to receive an amount due to the depositor, or any interest in stock held by the holder, at death, shall take effect only as to that portion of the personal estate over which that person had power of testamentary disposition according to the law of the Bailiwick of Guernsey, but a payment made to a nominee without notice of the depositor's

<sup>(19)</sup> Ordres en conseil Vol.XVII, p.384.

or holder's incapacity to dispose of the whole or any portion of the estate nominated shall be a valid payment.

## **Revocations and savings**

64.—(1) The instruments listed in the Schedule are revoked.

(2) Anything done under a revoked provision that could have been done under a corresponding provision in these Regulations shall not be invalidated by the revocation, but shall have effect as if done under these Regulations.

(3) These Regulations do not affect the validity of anything done by or in relation to the Postmaster General before 1st October 1969 under previously revoked provisions, and anything which at that date was in process of being done under those provisions by or in relation to the Postmaster General may be continued by or in relation to the Director of Savings.

#### **Modifications**

**65.**—(1) In section 125(5)(a) of the Finance Act 2009(20) (National Savings ordinary accounts: surplus funds) the reference to regulations 2B to 2BB of the National Savings Bank Regulations 1972(21) should be read as a reference to regulation 3 of these Regulations.

(2) In Schedule 1, paragraph 3 of the Contracting Out (Functions Relating to National Savings) Order 1998(22) the reference to regulations 21(1), (4) and (10) of the National Savings Bank Regulations 1972 should be read as a reference to regulations 24(2), (3) and (4) of these Regulations.

<sup>(20) 2009</sup> c. 10.
(21) S.I. 1972/764.

<sup>(21)</sup> S.I. 19/2//04.

<sup>(22)</sup> S.I. 1998/1449.