

SCHEDULE 1

Rule 6

“Investment of money recovered by person under disability

2.—(1) Moneys paid into court may be invested in the following securities—

- (a) securities issued by Her Majesty’s Government in the United Kingdom, the Government of Northern Ireland or the Government of the Isle of Man, being fixed-interest securities registered in the United Kingdom or the Isle of Man, Treasury Bills or Tax Reserve Certificates or any variable interest securities issued by Her Majesty’s Government in the United Kingdom and registered in the United Kingdom;
- (b) any securities the payment of interest on which is guaranteed by Her Majesty’s Government in the United Kingdom or the Government of Northern Ireland;
- (c) fixed-interest or variable interest securities issued in the United Kingdom by any public authority or by any nationalised industry or nationalised undertaking in the United Kingdom;
- (d) debentures issued in the United Kingdom by a company incorporated in the United Kingdom, being debentures registered in the United Kingdom;
- (e) equity shares in a public limited liability company whose shares are listed in the Official List of the Stock Exchange;
- (f) equity shares in an investment trust company;
- (g) any units of a gilt unit trust scheme;
- (h) any units of an authorised unit trust scheme;
- (i) any shares in an open-ended investment company within the meaning of the Open-Ended Investment Companies Regulations (Northern Ireland) 2004⁽¹⁾ or the Open-Ended Investment Companies Regulations 2001⁽²⁾.

(2) Pending or in lieu of such investment, moneys so paid in may be lodged on deposit receipt in accounts held with the National Debt Commissioners or in accounts held with such bank as the Lord Chancellor may, with the concurrence of the Treasury, designate under section 79 of the Judicature (Northern Ireland) Act 1978⁽³⁾.

Interpretation

3.—(1) In this Part, the expression—

“authorised unit trust scheme” has the meaning assigned by section 237(3) of the Financial Services and Markets Act 2000⁽⁴⁾;

“debenture” includes debenture stock and bonds, whether constituting a charge on assets or not, and loan stock or notes;

“fixed-interest securities” means securities which under the terms of issue bear a fixed rate of interest;

“gilt unit trust scheme” means an authorised unit trust scheme, or a recognised scheme, the objective of which is—

- (a) to invest at least 90% of the property of the scheme in loan stock, bonds or other instruments creating indebtedness which—
 - (i) are transferable; and

(1) S.R. 2004 No. 335
(2) S.I. 2001 No. 1228
(3) 1978 c. 23
(4) 2000 c. 8

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- (ii) are issued or guaranteed by the Government of the United Kingdom or of any other country or territory, by a local authority in the United Kingdom or in a relevant state, or by an international organisation the members of which include the United Kingdom or a relevant state;
- (b) to invest the remainder of the property of the scheme in shares, debentures or other instruments creating or acknowledging indebtedness, certificates representing securities or units in a collective investment scheme.

Sub-paragraphs (a) and (b) must be read with—

- (i) section 22 of the Financial Services and Markets Act 2000;
- (ii) any relevant Order under that section; and
- (iii) Schedule 2 to that Act;

“investment trust company” has the meaning assigned by section 842 of the Income and Corporation Taxes Act 1988⁽⁵⁾;

“securities” includes shares, debentures, Treasury Bills and Tax Reserve Certificates;

“share” includes stock;

“Treasury Bills” includes bills issued by Her Majesty’s Government in the United Kingdom and Northern Ireland Treasury Bills;

“variable-interest securities” means securities which under the terms of issue bear a variable rate of interest.

(2) In this rule, the expression “relevant state” means Austria, Finland, Iceland, Liechtenstein, Norway, Sweden or a state other than the United Kingdom State which is a contracting party to the agreement on the European Economic Area signed at Oporto on 2 May 1992 as it has effect for the time being.”

(5) 1988 c. 1