



Hill Samuel Bank and United Dominions Trust Act 1994

1994 CHAPTER xiv

10 Application to Scotland and Northern Ireland

(1) In the application of this Act to Scotland the following provisions shall have effect:—

(a) in the construction of this Act—

“assignment” includes an assignation;

“bailee” includes a custodian or a holder on deposit or pledge and
“contract of bailment” includes any other contract regulating custody of things;

“convey” includes the execution of any deed or other instrument or document by which any property, or any estate, interest, security or other right in or over property, is constituted, completed, disposed, assigned, transmitted or discharged;

“debenture” includes a floating charge or any instrument containing a floating charge;

“freehold land” includes heritable property;

“judgment” includes a decree;

“judicial trustee” includes a judicial factor;

“mortgage” includes a standard security, an assignation or disposition ex facie absolute and any agreement qualifying the same, a bond and disposition or assignation in security, a cash credit bond and disposition or assignation in security, an assignation in security and any real right or burden of whatever kind in the nature of a security whether or not constituted in respect of a heritable property; and

“will” includes a trust disposition and settlement and any deed taking effect on the death of any person whereby any part of his estate is disposed of, or under which a succession thereto arises.

(b) all standard securities and cash credit bonds and dispositions or assignations in security expressed to be in favour of Hill Samuel or UDT transferred to TSB by or in consequence of a transfer scheme shall, on and from the appointed day for the scheme, have the same effect in favour of TSB up to

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the maximum amounts stated therein respectively in all respects as if they had been originally granted in favour of TSB for such maximum amounts;

- (c) to enable TSB to complete a title, if thought fit, to any property transferred to it by or in consequence of a transfer scheme, by notice of title or otherwise, or to deduce title, the transfer scheme shall be deemed to be, and may be used as, a general disposition, conveyance or, as the case may be, assignation of such property in favour of TSB;
- (d) for the reference in subsection (1) of section 2 (Interpretation) of this Act to section 10 of the Civil Evidence Act 1968 there shall be substituted reference to section 17 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1968.

(2) In the application of this Act to Northern Ireland—

- (a) for the reference in subsection (1) of section 2 (Interpretation) of this Act to section 10 of the Civil Evidence Act 1968 there shall be substituted reference to section 6 of the Civil Evidence Act (Northern Ireland) 1971;
- (b) for the reference in subsection (1) of section 8 (Evidence of transfer and vesting) of this Act to the Law of Property Act 1925 there shall be substituted reference to the Conveyancing Act 1881;
- (c) the reference in subsection (3) of section 8 (Evidence of transfer and vesting) of this Act to the Stock Transfer Act 1963 shall include a reference to the Stock Transfer Act (Northern Ireland) 1963; and
- (d) for paragraph (1) of section 9 (Savings in respect of transfers of property) of this Act, there shall be substituted the following:—

“(1) constitute a purchase or creation of an estate for the purposes of section 10 (3) of the Business Tenancies Act (Northern Ireland) 1964; or”.