



# National Australia Group Europe Act 2001

## 2001 CHAPTER v

### 2 Interpretation

(1) In this Act, unless the subject or context otherwise requires—

“account” includes any contract or facility between a person and Yorkshire Bank by virtue of which money or any unit of account is, or may be, deposited or borrowed by any person;

“appointed day” means such day as may, under section 3 (Appointed day) of this Act be appointed for the purposes of this Act;

“Clydesdale Bank” means Clydesdale Bank PLC;

“contract” includes any agreement, transaction, arrangement or understanding, whether or not conditional or in writing and whether or not governed by English law;

“convey” has the same meaning as in the Law of Property Act 1925 (c. 20);

“customer” includes any person having an account or other dealing or a contract with Yorkshire Bank;

“document” means any thing in which information of any description is recorded;

“enactment” means any enactment in this Act or in any general or local Act or in any order, rule or regulation made under any Act;

“existing” means existing, outstanding or in force immediately before the appointed day;

“financial year” means a financial year determined in accordance with the provisions of section 223 of the Companies Act 1985 (c. 6) and “last financial year” means the last completed financial year of Clydesdale Bank or of Yorkshire Bank, as the case may be, before the appointed day;

“holding company” has the meaning given by sections 736 and 736A of the Companies Act 1985;

“liability” includes a duty and an obligation of any description (whether present or future, actual, contingent or prospective);

“NAG Europe” means National Australia Group Europe Limited;

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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“property” means property and assets of every description and includes property and assets held on trust or in a fiduciary capacity and security interests, rights, benefits and powers of every description;

“seal” includes a common seal and also any official seal which may be kept pursuant to section 39 or 40 of the Companies Act 1985;

“security interest” includes a mortgage or charge (whether legal or equitable), debenture, bill of exchange, promissory note, guarantee, lien, pledge (whether actual or constructive), hypothecation, assignment by way of security, indemnity, right of set-off, counterclaim, flawed asset arrangement, commitment or other means of securing payment or discharge of a debt or liability;

“subsidiary” has the meaning given by sections 736 and 736A of the Companies Act 1985 (c. 6);

“trustee” includes—

- (a) a trustee or custodian trustee of any trust, settlement, covenant, contract or will (whether originally so appointed or not, and whether appointed under hand or by deed or by order of any court);
- (b) an executor of the will, or administrator of the estate, of a deceased person;
- (c) a judicial trustee appointed by order of any court;
- (d) an attorney for another person; and
- (e) any person acting in a fiduciary capacity;

“undertaking” means the business and all property and liabilities of Yorkshire Bank of whatever nature, but does not include any seal, or any documents relating to the constitution of Yorkshire Bank or those documents comprising registers, indices, or minute books usually required to be kept by Yorkshire Bank at its registered office pursuant to the provisions of the Companies Act 1985;

“will” includes a codicil and any other testamentary writing; and

“Yorkshire Bank” means Yorkshire Bank PLC.

- (2) Any reference in this Act to property or liabilities of Yorkshire Bank is a reference to property or liabilities—
- (a) wherever they are situated or arise;
  - (b) whether or not they are capable of being transferred or assigned by Yorkshire Bank; and
  - (c) whether Yorkshire Bank is entitled or subject to them under the law of any part of the United Kingdom or under the law of any country or territory outside the United Kingdom.