



MONTSERRAT

CHAPTER 11.05

SAVINGS BANK ACT and Subsidiary Legislation

Revised Edition

showing the law as at 1 January 2013

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Revised Edition of the Laws Act.

This edition contains a consolidation of the following laws—

	Page
SAVINGS BANK ACT	3
Act 5 of 1938 .. in force 19 July 1938	
Amended by Act: 23 of 1961	
7 of 1966	
12 of 1968	
20 of 1970	
20 of 1975	
9 of 2011 .. in force 27 September 2011 (S.R.O. 40/2011)	
SAVINGS BANK ORDER – Section 8	11
S.R.O. 22/2009 .. in force 1 October 2009	
Amended by Act 9 of 2011 .. in force 27 September 2011 (S.R.O. 40/2011)	
SAVINGS BANK RULES – Section 13	13
S.R.O. 11/1953	
Amended by S.R.O.s: 19/1965	
32/1968	
Amended by Act 9 of 2011 .. in force 27 September 2011 (S.R.O. 40/2011)	

Copying/unauthorised distribution strictly prohibited.

Printed under Authority by
The Regional Law Revision Centre Inc.
www.lawrevision.ai



MONTSERRAT

CHAPTER 11.05

SAVINGS BANK ACT and Subsidiary Legislation

Revised Edition

showing the law as at 1 January 2013

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Revised Edition of the Laws Act.

This edition contains a consolidation of the following laws—

	Page
SAVINGS BANK ACT	3
Act 5 of 1938 .. in force 19 July 1938	
Amended by Act: 23 of 1961	
7 of 1966	
12 of 1968	
20 of 1970	
20 of 1975	
9 of 2011 .. in force 27 September 2011 (S.R.O. 40/2011)	
SAVINGS BANK ORDER – Section 8	11
S.R.O. 22/2009 .. in force 1 October 2009	
Amended by Act 9 of 2011 .. in force 27 September 2011 (S.R.O. 40/2011)	
SAVINGS BANK RULES – Section 13	13
S.R.O. 11/1953	
Amended by S.R.O.s: 19/1965	
32/1968	
Amended by Act 9 of 2011 .. in force 27 September 2011 (S.R.O. 40/2011)	

CHAPTER 11.05

SAVINGS BANK ACT

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Interpretation
3. Appointment of Savings Bank
4. General management
5. Employment of officers
6. Deposits and repayments
7. Security of Government
8. Interest
9. Salaries and expenses
10. Disposal of moneys
11. Accounts
12. Surpluses and deficits
13. Power to make rules
14. Secrecy as to depositors
15. Settlement of disputes
16. Non-liability of Government

CHAPTER 11.05

SAVINGS BANK ACT

*(Acts 5 of 1938, 23 of 1961, 7 of 1966,
12 of 1968, 20 of 1970, 20 of 1975 and 9 of 2011)*

Commencement

[19 July 1938]

Short title

1. This Act may be cited as the Savings Bank Act.

Interpretation

2. In this Act—

“**revenue of the Savings Bank**” does not include moneys received on deposit;

“**Savings Bank**” means the Government Savings Bank constituted under this Act.

Appointment of Savings Bank

3. The Savings Bank subsisting at the time when this Act comes into operation shall be deemed to be constituted and appointed under this Act.

General management

4. Subject to the provisions of section 10, the Savings Bank shall be under the management and control of the Accountant General who may, subject to the provisions of this Act and any rules made thereunder, take such steps as may be desirable for the encouragement of thrift, for the proper management of the Savings Bank, and otherwise for the promotion of the objects and purposes of this Act.

(Amended by Act 7 of 1966)

Employment of officers

5. The Accountant General with the approval of the Governor may engage such officers as may be necessary for the execution of this Act, and for that purpose may employ for part of their time officers in the service of the Government.

(Amended by Act 7 of 1966)

Deposits and repayments

6. (1) Deposits of money to be paid into the Savings Bank shall be received and repaid under such conditions as may be prescribed.

Copying/unauthorised distribution strictly prohibited.

(2) Deposits may be received as ordinary deposits bearing interest as specified in section 8(1) and as investment account deposits bearing interest as specified in subsection 8(4).

(Inserted by Act 12 of 1968)

Security of Government

7. The payment of all moneys deposited in the Savings Bank together with interest thereon is guaranteed by the Government of Montserrat, and accordingly if at any time or times the assets of the Savings Bank shall be insufficient to pay the lawful claims of every depositor, the Governor shall cause such deficiency to be met out of the general revenues of Montserrat, and the Accountant General shall certify such deficiency to the Legislative Assembly without delay.

(Amended by Acts 7 of 1966 and 9 of 2011)

Interest

8. (1) Interest shall be payable on ordinary deposits at the rate of 4% per annum or at such other rate as may be fixed from time to time by the Governor acting on the advice of Cabinet by Order made with the prior approval of a Secretary of State:

Provided that, not less than three months' notice of any such change of rate shall be given in the *Gazette*.

(Amended by Act 9 of 2011)

(2) Such interest shall not be payable on any amount less than \$5 and it shall be computed by reference to the lowest amount on deposit in each calendar quarter.

(3) Interest on deposits shall, subject to the provisions of subsection (2), be calculated to 31 December in every year and shall then be added to and become part of any principal money remaining on deposit:

Provided that, where an account is closed, interest may be computed up to the last day of the preceding calendar quarter and be added to and become part of the principal before payment is made.

(4) Interest shall be payable on investment account deposits as follows—

- (a) if the deposit is withdrawn before the expiry of six months from the date of deposit no interest shall be payable;
- (b) if the deposit is withdrawn after the expiry of six months from the date of deposit but before the expiry of twelve months from the date of deposit, interest shall be payable on the deposit at the rate of 2% per annum;
- (c) if the deposit is withdrawn after the expiry of twelve months from the date of deposit, interest shall be payable on the deposit at the rate of 4½% per annum:

Provided that—

- (i) the rates of interest specified in this subsection may be varied from time to time by the Governor acting on the advice of Cabinet with the prior approval of a Secretary of State; and (*Amended by Act 9 of 2011*)
- (ii) a minimum deposit of \$200 shall be required to open an investment deposit account.
(*Amended by Acts 12 of 1968, 20 of 1970, 20 of 1975*)

Salaries and expenses

9. (1) All expenses incurred in the execution of this Act shall be met from the moneys in the Savings Bank.

(2) For the purposes of this Act expenses shall mean the cost of any work or service done by or in connection with the Savings Bank, including such sum on account of administrative and other overhead expenses as may, with the approval of the Governor, be reasonably assigned to that work or service.

Disposal of moneys

10. (1) Subject to the provisions of this Act moneys in the Savings Bank shall not be applied in any way to the purposes of Montserrat but, except so far as any sums may be prescribed to be kept in hand for the general purposes of the Savings Bank, shall be deposited in the Public Treasury of Montserrat and shall, as far as practicable, be invested on behalf of the Savings Bank, under the direction of the Accountant General in such securities or be employed at interest in such manner as shall be approved from time to time by the Governor acting on the advice of Cabinet, or, in the case of moneys remitted to London for investments by a Secretary of State and any such investment may at any time be changed into other like securities:

Provided that, not more than one-third of such moneys shall at any time be or remain invested in securities of the Government of Montserrat.

(*Amended by Act 9 of 2011*)

(2) Any sums of money that may from time to time be required for the repayment of any deposit or deposits under the authority of this Act, or for the payment of interest thereon or expenses incurred in the execution of this Act, may be raised by the sale of the whole or a part of such securities:

Provided that, any sums of money which may be required for the purposes aforesaid, may, with the approval of the Governor, be advanced to the Savings Bank by the Accountant General out of the general revenues of Montserrat until they can be raised by the sale of such securities and such advances shall bear interest at the rate from time to time payable to depositors.

(*Amended by Act 7 of 1966*)

Accounts

11. Annual accounts of the revenue and expenditure of the Savings Bank and of deposits received and repaid and interest credited to depositors during the year ended on 31 December, together with a statement of the assets and liabilities of the Savings Bank, shall, after being audited and certified by the Auditor, be laid by the Accountant General before the Legislative Assembly not later than 30 June ensuing in every year and shall as soon as practicable thereafter be published in the *Gazette* and submitted to a Secretary of State.

(Amended by Acts 7 of 1966 and 9 of 2011)

Surpluses and deficits

12. (1) If in any year the revenue of the Savings Bank shall be insufficient to defray the interest due to depositors and all expenses under this Act, such deficiency shall be met out of the general revenues of Montserrat.

(2) If in any year the revenue of the Savings Bank shall be more than sufficient to defray the interest due to depositors and all expenses under this Act, then the Governor may direct the transfer of the surplus or any portion thereof to the general revenues of Montserrat:

Provided that, no such transfer shall be made unless the assets of the Savings Bank will thereafter exceed the liabilities by not less than 15% of the liabilities to depositors.

(3) If on 31 December in any year the assets of the Savings Bank exceed the liabilities by more than 15% of the liabilities to depositors, then the Governor, with the prior consent of a Secretary of State, may direct that the surplus over 15% or any portion thereof shall be transferred to the general revenues of Montserrat.

Power to make rules

13. (1) The Governor acting on the advice of Cabinet may make rules for the management and regulation of the Savings Bank. *(Amended by Act 9 of 2011)*

(2) In particular and without prejudice to the generality of the foregoing powers such rules may—

- (a)* prescribe limits of deposits;
- (b)* prescribe the modes of making deposits;
- (c)* prescribe the modes of withdrawing deposits and interest;
- (d)* prescribe the time at which deposit books shall be returned to the Savings Bank by depositors;
- (e)* regulate deposits by minors, guardians, trustees, married women, Friendly Societies and other charitable bodies;

- (f) prescribe conditions for the withdrawal of moneys by minors, guardians, trustees, married women, Friendly Societies and other charitable bodies;
- (g) prescribe the modes of dealing with the deposits of deceased or insane persons;
- (h) prescribe penalties not exceeding a fine of \$480 for the breach of any such rule;
- (i) provide for the forfeiture of deposits made in wilful contravention of this Act;
- (j) authorise the Accountant General to enter into an arrangement with any Post Office Savings Bank or Government Savings Bank of the Commonwealth, or any foreign country, for the transfer of any sums standing to the credit of depositors from such Savings Banks, to the Savings Bank, and *vice versa*, and prescribe conditions for such transfers.

(3) All rules made in pursuance of this section shall be published in the *Gazette* and shall come into operation on such publication or at such later date as may be named in such rules.

(4) Rules made in pursuance of this section shall be of the same effect as if they were contained in this Act.

(Amended by Act 7 of 1966)

Secrecy as to depositors

14. (1) No person appointed to carry this Act into effect shall disclose the name of any depositor or the amount which may have been deposited or withdrawn by any depositor except in due course of law, or to such person or persons as may be appointed to assist in carrying this Act into operation.

(2) Any person contravening the provisions of this section shall on summary conviction be liable to a fine of \$480.

Settlement of disputes

15. If any dispute shall arise between the Accountant General and any individual depositor, or any executor, administrator, next-of-kin of a depositor, or any creditor or assignee of a depositor who may become bankrupt or insolvent, or any person claiming to be such executor, administrator, next-of-kin, creditor or assignee, or to be entitled to any money deposited in the Savings Bank, then, and in every such case, the matter in dispute shall be referred to an arbitrator to be appointed by the Governor, and whatever award, order or determination may be made by such arbitrator shall be binding and conclusive on all parties, without any appeal.

(Amended by Act 7 of 1966)

Non-liability of Government

16. When any payment is made or act done by the Accountant General or any person acting under his authority in accordance with this Act and the rules for the time being made thereunder, the Government, the Accountant General and such person shall not be liable in respect of any claim on the part of any person in connection with such payment or act, but any person may nevertheless recover any sum lawfully due to him from the person to whom the Accountant General has paid the same.

(Amended by Act 7 of 1966)

SAVINGS BANK ORDER – SECTION 8

(S.R.O. 22/2009 and Act 9 of 2011)

Commencement

[1 October 2009]

Short title

1. This Order may be cited as the Savings Bank Order, and shall be read and construed as one with the Savings Bank Act.

Interest rate

2. From and after the coming into force of this Order, interest shall be payable at the rate of 3% per annum or at such other rate as may be fixed from time to time by the Governor acting on the advice of Cabinet by Order made with the prior approval of a Secretary of State.

(Amended by Act 9 of 2011)

SAVINGS BANK RULES
ARRANGEMENT OF RULES

RULE

1. Short title
 2. Interpretation
 3. Savings bank office
 4. Hours of business
 5. Who may deposit
 6. Deposits
 7. Depositor's book
 8. Lodgments
 9. Receipt of deposits
 10. Amount of deposits
 11. Children under fourteen years of age
 12. Joint accounts
 13. Trust accounts
 14. Friendly, or other societies
 15. Corporations
 16. Information to be supplied by societies and bodies corporate
 17. Duplicating accounts
 18. Prohibition of use of fictitious name
 19. Power of Accountant General to refuse accounts
 20. Limit of deposits
 21. Interest on deposits
 22. Limit to number of withdrawals
 23. Procedure on withdrawals
 24. Withdrawals from investment accounts
 25. Withdrawals from joint accounts
 26. Withdrawals from trust accounts
 27. Disposal of deposits of persons of unsound mind
 28. Bankruptcy of depositor
 29. Safeguards as to repayments
 30. Loss and surrender of depositor's book
 31. Production of depositor's book
 32. Illiterate depositors
 33. Payment under probate or letters of administration
 34. Distribution of small deposits on death of depositor
- SCHEDULE: Forms**

SAVINGS BANK RULES – SECTION 13

(S.R.O.s 11/1953, 19/1965 and 32/1968 and Act 9 of 2011)

Short title

1. These Rules may be cited as the Savings Bank Rules.

Interpretation

2. In these Rules—

“**Act**” means the Savings Bank Act;

“**depositor’s book**” means a numbered book which is supplied to the depositor when a first deposit is made or any book issued in continuation of any depositor’s book or substitution therefor;

“**first deposit**” includes any deposit by which a new account is opened;

“**Savings Bank Officer**” includes every officer of the Treasury Department who may from time to time perform any duties connected with the Savings Bank.

Savings bank office

3. The business of the Savings Bank shall be transacted at the Treasury or such other place within Montserrat as the Governor may direct.

Hours of business

4. The business of the Savings Bank shall be transacted during the ordinary business hours of the Treasury.

Who may deposit

5. Deposits may be made by and in the name of—

- (a) a person of full age and not under legal disability;
- (b) a married woman;
- (c) a minor of the age of fourteen years and upwards.

Deposits

6. (1) Every depositor on making a first deposit on an ordinary deposit account shall—

- (a) state his name in full, his occupation and his residence to the Savings Bank Officer, sign his name and enter particulars of his occupation and residence in the Savings Bank Ledger Folio in which the account is being opened and in which shall be shown also the date and number of the account; and
- (b) make and sign a declaration in Form A of the Schedule which declaration shall be witnessed by a public officer including (subject to the approval of the Accountant General) a Savings Bank Officer, or

by a Justice of the Peace, or by a Minister of Religion or by some other person of recognized standing approved by the Accountant General in that behalf.

(2) Every depositor on making an investment account deposit shall—

(a) make and sign a declaration as in Form D of the Schedule which declaration should be witnessed by a public officer including (subject to the approval of the Accountant General) a Savings Bank Officer, or by a Justice of the Peace, or by a Minister of Religion or by some other person of recognised standing approved by the Accountant General in that behalf; and (*Amended by Act 9 of 2011*)

(b) be issued with a receipt for the same setting out the terms of the deposit as in Form E of the Schedule.

(*Amended by S.R.O. 32/1968 and Act 9 of 2011*)

Depositor's book

7. (1) When a first deposit on an ordinary deposit account is made a depositor's book shall be issued to the depositor.

(2) No charge shall be made for a depositor's book except as provided by rule 30.

(*Amended by S.R.O. 32/1968*)

Lodgments

8. On making an ordinary deposit the depositor shall fill in and deliver to the Savings Bank Officer a Lodgment Voucher as in Form B of the Schedule (or such modification thereof, as may be required or approved by the Accountant General) shall produce his depositor's book for the purpose of having the deposit entered therein; and unless such depositor's book be produced the Savings Bank Officer may refuse to receive the deposit.

(*Amended by S.R.O. 32/1968*)

Receipt of deposits

9. Every ordinary deposit received by any Savings Bank Officer shall be entered by him at the time in the depositor's book and such officer shall affix his initials opposite such entry, and the same shall be verified by another Treasury Officer. The depositor's book with the entry so made and verified shall be returned to the depositor who shall satisfy himself that the entry has been correctly made.

(*Amended by S.R.O. 32/1968*)

Amount of deposits

10. No deposit shall be made of any amount less than 24 cents:

Provided that, no first deposit shall be less than \$1.

Children under fourteen years of age

11. Deposits may be made on behalf and in the name of a child under fourteen years of age by a guardian or parent of such child or by any other person approved by the Accountant General.

Joint accounts

12. (1) Deposits may be made in the joint names of two or more persons entitled to make a deposit.

(2) Upon the application of all the persons in whose names the account stands or the survivor of them, the Accountant General may remove the name of any person from the title of the account and may substitute the name of another person in place thereof with the consent in writing of that other person.

Trust accounts

13. (1) Deposits may be made in the name of one or more persons in trust for another person, whose name shall also be entered in the title of the account.

(2) The Accountant General may, if he thinks fit, on the application of all the parties to a trust account, cause the account to be put in the name of the beneficiary alone or in the names of the beneficiary and any new trustee.

Friendly, or other societies

14. Deposits may be made by a friendly or charitable society, or such other society as the Accountant General may approve of, through its trustees or treasurer in the name of such society, the full name of the society being entered in the title of the account.

Corporations

15. Deposits may (subject to the approval of the Accountant General in each case) be made in the name of a body corporate.

Information to be supplied by societies and bodies corporate

16. Whenever an account is being opened under rule 14 or 15 application must first be made to the Accountant General. A copy of the rules of the society or a memorandum of association of the body corporate should accompany the application.

Duplicating accounts

17. No person shall open in his own name more than one ordinary deposit account in the Savings Bank:

Provided that, this rule shall not apply to any such person who is also a trustee or treasurer under rule 13 or 14.

(Amended by S.R.O. 32/1968)

Prohibition of use of fictitious name

18. No person shall open any account in the Savings Bank in a fictitious name.

Copying/unauthorised distribution strictly prohibited.

Printed under Authority by

The Regional Law Revision Centre Inc.

www.lawrevision.ai

Power of Accountant General to refuse accounts

19. The Accountant General may, in his discretion, refuse to open an account or accept a deposit from any person without disclosing any reason for such refusal. Any person aggrieved by the Accountant General's refusal may appeal to the Governor acting on the advice of Cabinet, whose decision thereon shall be final. (*Amended by Act 9 of 2011*)

Limit of deposits

20. No depositor shall be entitled to deposit on ordinary deposit account at any time a greater sum than \$20,000 or to increase by way of deposit the total amount standing in his name in the books of the Savings Bank beyond a sum of \$20,000:

Provided that, there shall be no limit to the amount to be deposited by or on behalf of any Government Department or fund controlled by any Government Department or Public Authority.

(Amended by S.R.O. 32/1968)

Interest on deposits

21. Interest on deposits shall be at the rate and in the manner provided by section 8 of the Act:

Provided that, no depositor shall be entitled to interest on any amount by which the total sum on ordinary deposit account exceeds \$20,000:

Provided further that, no depositor shall be entitled to interest on any amount by which the total sum on investment account deposit exceeds \$50,000.

(Amended by S.R.O. 32/1968)

Limit to number of withdrawals

22. A depositor may withdraw money from his account once only every seven days except with the approval of the Accountant General.

Procedure on withdrawals

23. (1) Subject to the provisions of these Rules, any depositor wishing to withdraw the whole or any part of the sum deposited on ordinary deposit account shall cause his depositor's book to be presented to the Savings Bank Officer, as well as a withdrawal voucher in Form C of the Schedule (with such modification, if any, as may be required or approved by the Accountant General duly signed by such depositor or by any person whom the Accountant General is satisfied has been duly authorised by the depositor to make such withdrawal.

(2) If the depositor or his authorised agent is unknown to the Savings Bank Officer the signature of the depositor on the withdrawal voucher shall be witnessed by some person acceptable to the Accountant General or other Savings Bank Officer.

(3) If the depositor is resident in a British Overseas Territory outside Montserrat, his signature to the withdrawal voucher shall be witnessed by a Minister of Religion, Justice of the Peace or other responsible person of the place in which the depositor lives, and if resident in a foreign country, then by the British Minister,

Consul or Consular Officer of such place, or in the absence of a British representative by a responsible public officer of such foreign country. The person actually receiving the money shall also sign the withdrawal voucher. (*Amended by Act 9 of 2011*)

(4) The Accountant General may require notice of withdrawal in the following manner—

- (a) seven days notice of a withdrawal of any sum of \$100 and not exceeding \$500; and
- (b) one month's notice of a withdrawal of any sum over \$500 and not exceeding \$2,000; and
- (c) two months' notice of any sum exceeding \$2,000,

but may, in his discretion, pay the amount claimed either immediately or before the expiration of the time limited for such amount.

(5) The Savings Bank Officer to whom the depositor's book is presented under sub-rule (1) shall enter in such book the amount withdrawn and the date of such withdrawal and shall affix his initials opposite such entry.

(6) The Savings Bank Officer shall thereupon pass the depositor's book and the withdrawal voucher to the cashier, or other Savings Bank Officer responsible for making the actual payment of the amount withdrawn, and such officer shall, before making the payment, affix his initials opposite to such entry and shall then return the depositor's book to the depositor or his authorised agent who shall satisfy himself that the entry has been correctly made.

(7) If a depositor or his authorised agent applies for the withdrawal of an amount which would result in no balance or a balance of less than \$1 remaining on deposit in the account after such withdrawal, the whole amount on deposit shall be withdrawn by and paid to the depositor or his authorised agent and such account shall be closed by the Savings Bank Officer who shall cancel and retain the depositor's book.

(Amended by S.R.O. 32/1968)

Withdrawals from investment accounts

24. Any depositor wishing to withdraw the whole or any part of the sum deposited on an investment account shall present to the Savings Bank Officer a withdrawal voucher in Form E of the Schedule (with such modification, if any, as may be required or approved by the Accountant General) duly signed by such depositor or by any person whom the Accountant General is satisfied has been duly authorised by the depositor to make such withdrawal.

(Inserted by S.R.O. 32/1968)

Withdrawals from joint accounts

25. (1) Withdrawal vouchers may be in the joint names of the depositors or in the names of their survivors from time to time, proof being given to the satisfaction of the Savings Bank Officer of the death of any joint depositor. Such withdrawal vouchers shall be a good discharge to the Accountant General for the amounts stated therein.

(2) Joint depositors may name any one or more of their number to operate an account, and in any such case the withdrawal voucher shall be signed by the person or persons so authorised.

Withdrawals from trust accounts

26. (1) Withdrawal vouchers shall be in the names of all the trustees or of their survivors from time to time, proof being given to the satisfaction of the Savings Bank Officer of the death of any trustees. Such withdrawal vouchers shall be a good discharge to the Accountant General for the amounts stated therein.

(2) Trustees may name any one or more of their number to operate an account, and in any such case the withdrawal voucher shall be signed by the person or persons so authorised.

Disposal of deposits of persons of unsound mind

27. Where a depositor has become insane, but no order as to the application of his property has been made by a court, and the whole amount due to such depositor, inclusive of interest, does not exceed \$24 the Accountant General may, when it is proved to his satisfaction that it is just and expedient so to do, pay the amount standing in the name of the depositor, or any part thereof, to any person whom he shall judge proper to receive the same, and the receipt of such person shall be a good discharge to the Accountant General for the sum so paid.

Bankruptcy of depositor

28. Where it is shown to the satisfaction of the Accountant General that a receiving order has been made in respect of the property of a sole depositor or that a trustee in bankruptcy of the property of a sole depositor has been appointed, the Accountant General may, in his discretion, on the application of the Official Receiver or Trustee, pay the amount standing in the name of the depositor, or any part thereof, to the Official Receiver or Trustee.

Safeguards as to repayments

29. Repayments shall be made only to the depositor or the bearer of a withdrawal order signed by the depositor in the presence of any public officer other than a Savings Bank Officer, or of a Justice of the Peace, or Minister of Religion or some other person of recognised standing approved by the Accountant General in that behalf. (*Amended by Act 9 of 2011*)

Loss and surrender of depositor's book

30. (1) If a depositor shall lose his depositor's book and shall desire a new depositor's book, application must be made by him to the Accountant General.

(2) Upon receiving the application the Accountant General may, if he thinks fit, issue a new depositor's book to the applicant and shall charge therefor the sum of 24 cents.

(3) If in the opinion of the Accountant General any depositor's book has been tampered with or is in such a condition as to render the issue of a new book desirable,

the Accountant General may, if he thinks fit, require the surrender and cancellation of the book and issue a new book to the depositor and may charge therefor the sum of 24 cents.

(4) In every case in which a new deposit book is issued to a depositor, the amount to the credit of that depositor shall be entered in the new depositor's book.

Production of depositor's book

31. Every depositor shall deliver his depositor's book to the Savings Bank Officer in the month of January in each year in order that the entries therein may be compared with the Savings Bank Ledger and interest added. The Accountant General may at any time call for production of any depositor's book for such purposes.

Illiterate depositors

32. In all cases in which the signature of a depositor is required, if the depositor cannot write, his mark must be affixed in the presence of a public officer other than a Savings Bank Officer, or of a Justice of the Peace or Minister of Religion, or some other person of recognized standing approved by the Accountant General in that behalf and witnessed by such person. *(Amended by Act 9 of 2011)*

Payment under probate or letters of administration

33. Payments of any deposit according to any probate of a will or letters of administration granted by the High Court and appearing to be in force shall be a good discharge to the Accountant General as against the executors and administrators of the deceased depositor and all other persons, notwithstanding that the probate or letters of administration may be revoked or otherwise invalid.

Distribution of small deposits on death of depositor

34. In case any depositor shall die leaving any sum of money not exceeding \$240 (exclusive of interest) in the Savings Bank and probate of his will or letters of administration be not produced at the Savings Bank within two months of the death of such depositor or if notice in writing of the existence of a will and intention to prove the same, or to take letters of Administration, is not given to the Accountant General, within a period of one month from the death of the said depositor and in the latter case, unless such will be proved or letter of administration taken out within the period of two months from the death of such depositor, it shall be lawful for the Accountant General, after such period of two months, to pay and divide such deposit to and among any person or persons who shall appear to him to be the widow or relatives of the deceased depositor entitled to his effects according to the stature of distribution in force in Montserrat.

(Inserted by S.R.O. 19/1965)

SCHEDULE

FORMS

FORM A

(Rule 6)

DECLARATION BY DEPOSITOR ON MAKING FIRST DEPOSIT

Pursuant to the Savings Bank Act, and Rules made thereunder, I, of hereby declare that I desire on my own behalf (or on behalf of *) to make deposits in the Montserrat Savings Bank, and that I have not already opened in my own name (or in the name of the said *) an account which is still open in the said Savings Bank (except as a trustee or treasurer under rule 13 or 14 of the Rules of the said Savings Bank).

(I certify that the above-named on whose behalf I am opening this account is a child under the age of fourteen years on the day of, 20..... *).

I further hereby declare that of , whose signature is appended hereunder, is authorised to make withdrawals from this account.

Witness my hand this day of, 20..... .

Signed by the said depositor and the person authorised to make withdrawals

} *Signature of Depositor.*

.....
Signature of person authorised to make withdrawals.

Before and in the presence of—

Witness
Address of Witness
Office or qualification

CERTIFICATE TO BE SIGNED BY WITNESS WHERE DEPOSITOR CANNOT WRITE

I certify that the foregoing declaration was, before being made by the depositor, first read over to him in my presence and hearing, when the depositor appeared perfectly to understand the same and made his mark thereto in my presence.

.....
Signature

Date
Address
Office or qualification

* *Strike out words which are not applicable. If the account is opened for the benefit of a child under fourteen years of age, the person making the declaration must specify the day on which such child will attain the age of fourteen years.*

FORM B

(Rule 8)

SAVINGS BANK

LODGMET VOUCHER

Account No.

To THE ACCOUNTANT GENERAL OF MONTSEERRAT

Required to be received as deposit in the Savings Bank on account of the sum of \$ and cents.

.....
Signature of Depositor or Agent

(Witness to Mark,
if depositor or agent cannot write)—

.....
Date of receipt of deposit
Savings Bank Officer's initials

FORM C

(Rule 23)

SAVINGS BANK

No.

WITHDRAWAL VOUCHER

Account No.:

TO THE ACCOUNTANT GENERAL OF MONTSEERRAT

I/We demand repayment of the sum of \$ and cents,
 from moneys standing to my/our credit in the above described account, and I/We
 request that the same be paid to

Date

.....
Signature of Depositor or Agent

Principal \$

Interest \$

Total Withdrawn \$

Witness (if the depositor or agent cannot write
 or is unknown to the Savings Bank
 Officer).

Date of Payment

Savings Bank Officer's initials.

FORM D

(Rule 6(2))

SAVINGS BANK

REQUISITION FOR INVESTMENT ACCOUNT RECEIPT

Account No.:

TO THE ACCOUNTANT GENERAL OF MONTSEERRAT

Please issue an Investment Account Receipt in the following name(s) and on the undermentioned terms:—

Name(s)

Occupation

Address

Amount

Rate 4½% per annum provided funds left for a period of twelve months from date of deposit.

Rate of 3% per annum provided funds left for a period of six months from date of deposit.

No interest will be paid if funds withdrawn before the expiry of six months from date of deposit.

Interest will not be paid after the date of maturity and application for renewal must be made if it is desired to allow these funds to remain on deposit for a further fixed period.

Signature of Depositor or Agent.

Witness to Mark

(if depositor or agent cannot write)

Date of Receipt of Deposit

Savings Bank Officer's initials

FORM E

(Rule 6(2)(b))

SAVINGS BANK

INVESTMENT ACCOUNT RECEIPT

Account No.

Received as deposit in the Savings Bank as an Investment Account on the undermentioned terms the sum of dollars and cents (\$ ¢).

Name

Address

Occupation

Rate 4½% per annum provided funds left for a period of twelve months from date of deposit.

Rate 3% per annum provided funds left for a period of six months from date of deposit.

No interest will be paid if funds withdrawn before the expiry of six months from date of deposit.

Interest will not be paid after the date of maturity and application for renewal must be made if it is desired to allow these funds to remain on deposit for a further fixed period.

Signature of Depositor or Agent.

Witness to Mark

(if depositor or agent cannot write)

Date of Receipt of Deposit

Savings Bank Officer's initials

FORM F
SAVINGS BANK
INVESTMENT ACCOUNT WITHDRAWAL VOUCHER

Account No.

To The Accountant General of Montserrat

I/We demand repayment of the sum of dollars
and cents (\$), from moneys standing to my/our
credit in the above described account, and I/We request that the same be paid to

Date

Signature of Depositor or Agent.

Principal \$

Interest \$

Total Withdrawn \$

Witness (if the depositor or agent cannot write or is unknown to the
Savings Bank Officer)

Date of Payment

Savings Bank Officer's initials
