

Hon. Mr. Downie Stewart.

SAVINGS-BANKS AMENDMENT.

ANALYSIS.

<p>Title</p> <p>1. Short Title.</p> <p>2. Authorizing payment of amount at credit of deceased depositor in savings-bank without requiring probate or letters of administration, in cases where amount does not exceed £200. Consequential repeals.</p> <p>3. Extension of definition of term "institution" for purposes of principal Act.</p>	<p>4. Grants made to institution by trustees of savings-bank to be applied only for charitable purposes approved by Governor-General.</p> <p>5. Governor-General in Council may define charitable purposes to which proceeds of grants made under principal Act may be applied.</p> <p>6. Consequential amendment of section 2 of Amendment Act, 1912.</p> <p>7. Grants up to £200 may be used for current expenditure.</p>
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A BILL INTITULED

AN ACT to amend the Savings-banks Act, 1908.

Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows :—

Short Title.

1. This Act may be cited as the Savings-banks Amendment Act, 1927, and shall be read together with and deemed part of the Savings-banks Act, 1908 (hereinafter referred to as the principal Act).

Authorizing payment of amount at credit of deceased depositor in savings-bank without requiring probate or letters of administration, in cases where amount does not exceed £200.

2. (1) Where the amount standing to the credit of a depositor in any savings-bank at the time of his death does not exceed two hundred pounds, and probate of the will of such depositor, or letters of administration of his estate, is or are not produced within such time as the trustees think reasonable, the trustees may, in their discretion, without requiring probate or letters of administration, pay the amount or any part thereof to any of the persons following, that is to say,—

Cf. 1908, No. 106, s. 76; 1919, No. 13, s. 10.

- (a) The widow or widower of the depositor :
- (b) The persons entitled to the estate of the depositor under his will (if any) or under the statutes of distribution :
- (c) Any person entitled to take out probate or letters of administration.

(2) Before making any payment under this section the trustees may require the production of proof to their satisfaction of the death of the depositor.

(3) Payment of any moneys pursuant to this section shall discharge the trustees from all further liability in respect of the same.

(4) Every person to whom any such moneys are paid by the trustees as aforesaid shall be liable to apply the same in due course of administration ; and the trustees may, if they think fit, require such person to give sufficient security by bond or otherwise that the moneys so paid will be so applied ; but the trustees shall not be bound to see to the application of any such moneys.

(5) Notice of every payment made under this section shall be given to the Commissioner of Stamp Duties in the manner and within the time prescribed by section sixty-one of the Death Duties Act, 1921.

(6) The powers conferred by this section on the trustees shall be exercised subject to any regulations in relation thereto that may be made by the Governor-General in Council acting under the authority of section sixty-nine of the principal Act. 5

Consequential repeals.

(7) This section is in substitution for section twenty-nine of the principal Act, and that section is hereby accordingly repealed.

(8) The Savings-banks Amendment Act, 1915, is hereby repealed. 10

Extension of definition of term "institution" for purposes of principal Act.

3. (1) In addition to the classes of institutions specified in section two of the principal Act, the Governor-General may by Order in Council declare any society or association of persons (whether corporate or unincorporate) that is capable of administering a charitable trust to be an institution within the meaning and for the purposes of that Act. 15

(2) Any Order in Council under this section may in like manner be at any time revoked.

Grants made to institution by trustees of savings-bank to be applied only for charitable purposes approved by Governor-General.

4. (1) Section thirty-eight of the principal Act is hereby amended by omitting the words "for the objects for which such institution was originally established." 20

(2) Section thirty-nine of the principal Act is hereby amended by omitting the words "in and towards the maintenance of the institution for the purposes for which it was originally established," and substituting the words "for such charitable purposes as the Governor-General may from time to time by Order in Council approve." 25

Governor-General in Council may define charitable purposes to which proceeds of grants made under principal Act may be applied.

5. (1) For the purposes of section thirty-nine of the principal Act as amended by the *last preceding* section the Governor-General may by Order in Council define the purposes for which the proceeds of any specified grant made or proposed to be made to any institution by the trustees of a savings-bank may be applied. 30

(2) Any such Order in Council may at the request of the governing authority of an institution be made to apply with respect to the proceeds of any specified grant made to that institution before the passing of this Act.

(3) Any Order in Council under this section may in like manner be at any time varied, but not so as to affect the validity of the application of any moneys expended by the governing authority of an institution before the issue of the amending Order in Council. 35

Consequential amendment of section 2 of Amendment Act, 1912.

6. Section two of the Savings-banks Amendment Act, 1912, is hereby amended by omitting the words "for which the said institution was established," and substituting the words "of the institution or for such special purposes of the institution as the Governor-General in Council may approve." 40

Grants up to £200 may be used for current expenditure.

7. (1) Notwithstanding anything to the contrary in the principal Act requiring that moneys received by an institution in terms of that Act be invested, any grant of an amount not exceeding two hundred pounds may be expended by the institution for such of the purposes of the institution as the Governor-General by Order in Council may approve in that behalf. 45

(2) Any institution to which a grant is made in terms of this section shall, for the purposes of such grant and the expenditure thereof, be deemed to be a local authority within the meaning of Part XIV of the Public Revenues Act, 1926. 50