

TRINIDAD AND TOBAGO.

*Savings Banks.*

No. 21.—1896.

*3rd August.*

AN ORDINANCE to amend the law as to Savings  
Banks.

[L.S.]

F. NAPIER BROOME,

GOVERNOR.

*19th August, 1896.*

**B**E it enacted by the Governor of Trinidad and  
Tobago with the advice and consent of the Legis-  
lative Council thereof as follows:—

1. This Ordinance may be cited as “The Savings short title.  
Bank Amendment Ordinance, 1896.”

It shall be read and construed as one with “The Construction.  
Savings Bank Ordinance, 1889” (No. 21—1889), and  
“The Savings Bank (Amendment) Ordinance, 1890”  
(No. 26—1890).

“The Savings Bank Ordinance, 1889,” “The  
Savings Bank (Amendment) Ordinance, 1890,” and this  
Ordinance, may together be cited as “The Savings  
Bank Ordinances, 1889–1896.”

Minors'  
Moneys.

2. Notwithstanding anything contained in the Ordinance No. 9 of 1856, intituled "An Ordinance to authorize the Supreme Civil Court in Equity to invest Infants' moneys on security" it shall be lawful for the Supreme Court on the petition of any Infant who may be entitled to any money which may heretofore have been or which hereafter may be paid into the Colonial Treasury to the credit of such Infant under the provisions of the Order in Council dated 3rd February, 1851, to order such money or any part thereof to be invested at interest in the Government Savings Bank for the benefit of such Infant.

Repeal.

3. Section 3 of "The Savings Bank (Amendment) Ordinance, 1890," is hereby repealed, and in lieu thereof shall be read the following:—

Interest not  
payable on  
sums over  
£500.

No interest shall be payable on any principal sum exceeding £500: Provided that interest shall be payable on any deposits in the Government Savings Bank to the extent of £1,000 made by the Supreme Court and by the Managers, Trustees, Treasurers or other officers for the time being of any Penny Savings Bank or any Charitable or Provident Institution or Society or charitable donation or bequest for the maintenance, education or benefit of the poor, or any Friendly Society legally enrolled and certified in the manner required by "The Friendly Societies Ordinance, 1888:" Provided also that interest shall be payable on any deposits of over £500 when deposited by a person in the employment of the Government of the Colony by way of security for the faithful

discharge of his duties while in the employment of the said Government. Such deposits should be made in the name of the Receiver-General as trustee for the officer.

And the receipt of the Treasurer, Manager, Trustee or other officer for the time being of any such Penny Savings Bank, Charitable or Provident Institution or Society or of any Friendly Society legally enrolled and certified as aforesaid for any money paid according to the requisition of such Treasurer, Manager or other officer apparently authorized to require such payment, shall be a sufficient discharge for the same.

4. Section 18 of "The Savings Bank Ordinance, <sup>Repeal.</sup> 1889," is hereby repealed and in lieu thereof shall be read the following, that is to say:—

Infants seven years of age and upwards may <sup>Deposits by infants.</sup> deposit money in their own names and withdraw the same together with any interest that may accrue thereon. Deposits may also be made by parents and guardians for the benefit of infants under the age of seven years; and such deposits with the interest that may have accrued thereon shall not be repayable until the infant shall have attained the age of seven years; but in the event of death before the age of seven years the money shall be payable on a month's notice to the person who shall have deposited the same or to his personal representative, on the production of evidence as to death in the same manner as of a deceased depositor.

Repeal.

5. Section 21 of "The Savings Bank Ordinance, 1889," is hereby repealed and in lieu thereof shall be read the following:—

Appointments.

Any depositor in a Savings Bank may by appointment in writing (which may be in the form in the first Schedule to this Ordinance) signed or acknowledged in the presence of the Manager of such Savings Bank or any other prescribed person, and left with such Manager, direct that the whole or any part of the balance which may be standing to the credit of the depositor at the time of his death, or that out of such a balance a sum not exceeding £300 shall in case of his dying intestate be paid to the beneficiary named in such appointment.

An appointment of any deposit under this section shall be inoperative so far as it is inconsistent with a subsequent appointment, and shall be revoked by the death of the appointee in the lifetime of the depositor or by the marriage of the depositor.

It may also be revoked by the depositor by writing endorsed on the appointment and signed or acknowledged in such manner as would be sufficient for an appointment of the same deposit.

Managers of Savings Banks shall enter in proper books the prescribed particulars in reference to such appointments.

Deceased depositors. Sums under £100.

6.—(1.) Where the whole amount due to a depositor at the time of his decease does not exceed £100 exclu-

sive of interest, and Probate of the Will of such depositor, or Letters of Administration of his estate and effects is not or are not produced within such time as the Receiver-General thinks reasonable, if such depositor has made no appointment and so far as any appointment does not extend, the Receiver-General may without requiring Probate of the Will or Letters of Administration of the estate and effects of the deceased depositor in his discretion with the sanction of the Governor pay or distribute the amount so due as aforesaid to or among any of the persons hereinafter described or indicated, that is to say—

- (1.) Any person who has paid the funeral expenses of the depositor ;
- (2.) Creditors of the depositor ;
- (3.) The Widow or Widower of the depositor ;
- (4.) The persons entitled to the effects of the depositor according to the Ordinance 23 of 1850 regarding the distribution of intestate estates ;
- (5.) The person entitled to take out Probate or Letters of Administration to the depositor ;
- (6.) In the case of foreign seamen, the Consular authority of any country with whom a treaty has been made relative to the payment of moneys due to such seamen ;
- (7.) Any person undertaking to maintain the children of the depositor ;
- (8.) The Crown Solicitor, if the estate of the depositor has devolved upon the Crown.

(2.) In making such payment and distribution as aforesaid the Receiver-General shall have regard to the Rules of Law regulating the distribution of the estates of intestates, but he may nevertheless when he considers that injustice, hardship or inconvenience would result from adherence to such rules, make such payment and distribution otherwise than in accordance with such rules.

(3.) The receipt of any of the persons mentioned in this section shall be a good discharge to the Receiver-General for the sum paid, and any such receipt may be signed by the widow, widower, or next of kin above the age of 16 years, notwithstanding that she or he has not attained the age of 21 years.

No person to have deposits in more than one Savings Bank.

7.—(1.) It shall not be lawful for any person to have a deposit in more than one Savings Bank in Trinidad or to have deposits standing to more than one account in the same Savings Bank in Trinidad.

If any person at any time has a deposit in more than one Savings Bank in Trinidad, or has deposits standing to the credit of more than one account in the same Savings Bank in Trinidad, he shall be liable to forfeit any amount illegally deposited, either as to the whole thereof or to such extent as the Receiver-General may think just in the circumstances of the case, and any money so forfeited shall be paid into the Treasury for public uses.

Exception—  
Friendly Societies.

Provided that nothing in this section or in any other Ordinance relating to Savings Banks shall prevent a Friendly Society from having deposits in more than one Savings Bank in Trinidad, or from having deposits

standing to the credit of more than one account in the same Savings Bank in Trinidad, and a person making a deposit in a Savings Bank on behalf of a Friendly Society shall not be bound to make a declaration to the effect that the Society is not entitled to any benefit from deposits in that or any other Savings Bank.

(2.) It shall be lawful for the Receiver-General to provide for the addition of one or more names to an account already in a Savings Bank, and the addition of such names shall not be deemed to be the opening of a new account in the Bank.

8. When any payment is made on presentation of a Protection of Receiver-General. Pass Book, or without the production of the Pass Book where there is satisfactory proof that the depositor or other claimant is entitled to receive the sum in deposit, or when any act is done by the Receiver-General in accordance with "The Savings Bank Ordinance, 1889" (No. 21—1889), and the Regulations for the time being in force thereunder, or "The Savings Bank (Amendment) Ordinance, 1890" (No. 26—1890), or this Ordinance, he shall be indemnified against all claims on the part of any person in respect of such payment or act, but any person may nevertheless recover any sum lawfully due to him from the person to whom the Receiver-General has paid any such sum.

Passed in Council this third day of August, in the year of Our Lord one thousand eight hundred and ninety-six.

HARRY L. KNAGGS,  
*Acting Clerk of the Council.*