



THE POST OFFICE SAVINGS-BANK REGULATIONS 1944

C. L. N. NEWALL, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 20th day of
December, 1944

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Post and Telegraph Act, 1928, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, and for the purpose of consolidating and amending certain enactments heretofore in force, doth hereby make the following regulations.

REGULATIONS

PRELIMINARY

1. These regulations may be cited as the Post Office Savings-bank Regulations 1944.

2. In these regulations, if not inconsistent with the context,—

“ Chief Post-office ” means any post-office from time to time for the time being appointed by the Postmaster-General to be a chief post-office for the general purpose of the Post and Telegraph Act, 1928 :

“ Depositor ” includes every person from time to time recognized by the Postmaster-General as entitled to the moneys in a savings-bank account :

“ District ” means the area the post-offices within which are for the time being by direction of the Postmaster-General subordinated to a chief post-office established in that area :

“ Ledger office ” means any savings-bank office other than a chief post-office at which ledger facilities are provided :

“ Post officer ” means the Postmaster of every savings-bank office and includes any officer of the Post Office appointed to transact savings-bank business :

“ Savings-bank ” means the Post Office Savings-bank :

“ Savings-bank business ” means the receipt of deposits and the repayment of such deposits and all business incidental to such receipt and repayment :

“ Savings-bank office ” means a post-office at which savings-bank business is transacted :

“ Savings-bank year ” means the twelve months ending on the 31st day of March in any year.

3. The respective regulations made or enuring under the Post and Telegraph Act, 1928, and relating to savings-bank business and referred to in the table subjoined to this regulation are revoked :—

TABLE OF REVOKED REGULATIONS

Date of Enactment.	Published in <i>Gazette</i> .	
	Year.	Page.
24th October, 1907	1907	3223
7th February, 1913	1913	530
15th December, 1919	1919	3795
23rd August, 1920	1920	2541
19th September, 1921	1921	2393
11th August, 1924	1924	1987
30th November, 1925	1925	3355
23rd May, 1927	1927	1606
24th April, 1928	1928	1424
8th March, 1929	1929	631
29th June, 1933	1933	1864
20th December, 1933	1934	5
3rd December, 1934	1934	4175
4th March, 1936	1936	460
	Published in Statutory Regulations.	
	Serial Number.	Page.
10th June, 1937	184/1937	697
13th October, 1937	255/1937	925
3rd December, 1941	1941/223	686

4. All certificates, appointments, ledgers, pass-books, and entries therein, and generally all acts of authority, and all declarations, applications, and all other documents, matters, acts, and things, and all periods of time which originated or had effect under the regulations hereby revoked and are of continuing effect at the time of coming into force of these regulations shall enure for the purposes of these regulations as if they had originated under these regulations, and shall, where necessary, be deemed to have so originated.

TRANSACTION OF BUSINESS

5. (1) Savings-bank business shall be transacted at such post-offices as the Postmaster-General may from time to time appoint for that purpose, with power to direct that the transaction of savings-bank business at any post-office be discontinued.

(2) Savings-bank business shall be transacted on such days and during such hours as the Postmaster-General may from time to time direct.

AMOUNT OF DEPOSITS

6. (1) Except as hereinafter provided in this regulation, deposits shall be for 1s. or a multiple thereof.

(2) A deposit containing a fractional part of a shilling may be accepted for the credit of an account opened under Regulations 10, 11, 13, 14, 15, and 16 hereof.

(3) A deposit containing a fractional part of a shilling may be accepted for credit of any account if the deposit consists solely of a cheque or cheques (including an interest warrant or warrants for New Zealand inscribed stock) and if the fraction be part of such cheque or, if more than one such cheque be included in the deposit, be part of the aggregate amount of such cheques (whether in gross or after deducting exchange, if any).

TRUSTS NOT RECOGNIZED

7. A reference to a trust or an indication of the fiduciary character of a depositor in the name or title of any account or the production to the Postmaster-General or any other post officer of a probate or any document creating or referring to a trust or of the constitution or rules of any organization whether or not incorporated or of any notice relating thereto respectively shall not be deemed to affect the Postmaster-General or the Crown with notice of any trust expressed, implied, or constructive, and the Postmaster-General shall be entitled to recognize the person for the time being named as the depositor as the only person entitled, whether legally or equitably, to the moneys in the account :

Provided that nothing contained in this regulation shall entitle any person to have an interest in more than one savings-bank account except as hereinafter provided or affect the liability of any person for interest received or credited in excess of the amount which any person may properly receive or with which any account may properly be credited or prevent the Postmaster-General from taking cognizance of any beneficial interest in moneys in an account where he thinks it proper so to do.

CLASSES OF DEPOSITORS

8. An account may be opened in the name of any individual with moneys which are the absolute property of that individual as follows :—

- (a) If the depositor is of the age of seven years and upwards and not subject to any legal disability except that of infancy, by the depositor in person :
- (b) If the depositor is under seven years of age, by any person on his behalf :
- (c) By an attorney or other agent authorized in that behalf :
- (d) If the depositor is a person of unsound mind, by the committee of his estate.

9. An account may be opened in the joint names of two or more persons entitled to be depositors.

10. An account may be opened in the name of one or more persons as trustee or trustees for another person, whose name shall also be entered in the title of the account.

11. (1) An account may be opened in the name of one or more persons being—

- (a) Executors of the will of a deceased person to whom probate has been granted ; or
- (b) Administrators of the estate of a deceased person to whom letters of administration have been granted ; or
- (c) Trustees of the estate of a deceased person ; or
- (d) Trustees constituted under any formal instrument creating a trust.

(2) In any of the cases referred to in clause (1) of this regulation more accounts than one may be opened, such accounts to be distinguished by the name of a beneficiary or by other words in the title of the account in such manner as the Postmaster-General may require or approve.

(3) If the same person be executor or administrator or trustee of more than one will, estate, or trust, a separate account may be opened for each of such wills, estates, and trusts to be distinguished by words in the title of the account in such manner as the Postmaster-General may require or approve.

12. An account may be opened by the Superintendent of the Child Welfare Branch of the Department of Education as trustee for an inmate of any institution established or deemed to be established under the Child Welfare Act, 1925.

13. (1) Subject to the approval of the Postmaster-General, an account may be opened by the controlling officer for the time being of any society, whether incorporated or unincorporated, engaged in the teaching or training of young people of either sex as trustee for any present or past inmate of any institution managed by such society for the deposit of the savings of such inmate.

(2) Such account shall be opened under the title, "Controlling Officer [*Naming the institution*] as trustee for [*Naming the inmate*]".

(3) The Postmaster-General may, in his discretion, require proof to his satisfaction that any person for whom such an account is proposed to be opened is in fact a present or past inmate of such institution.

INSTITUTIONS ACCEPTED AS DEPOSITORS

14. An account may be opened on behalf of any institution (not being a body corporate) of the following classes:—

- (a) A savings-bank established under the Savings-bank Act, 1908 :
- (b) A society registered under the Building Societies Act, 1908, or the Friendly Societies Act, 1909, including a registered branch :
- (c) A society registered under the Trade-unions Act, 1908 :
- (d) An Education Board or a School Committee established under the Education Act, 1914 :
- (e) Such other body or society or class of bodies or societies not carried on for purposes of trade or profit as the Postmaster-General shall approve :

Provided that no account shall be opened in the name of an institution of any of the classes aforesaid if an account is in existence opened by the trustees of such institution under Regulation 16 hereof.

15. Deposits may be made in the name of—

- (a) A society incorporated under the Industrial Conciliation and Arbitration Act, 1925 ; or
- (b) Any other corporate body not in the opinion of the Postmaster-General carried on for purposes of trade or profit :

Provided first that the Postmaster-General may at any time exclude any corporate body from the provisions of this regulation, whether an account has already been opened in its name or not, if in his opinion the nature of its activities makes it undesirable that it should enjoy the benefit of being a depositor :

Provided secondly that no account shall be opened in the name of any corporate body if an account is in existence opened by the trustees of such body under Regulation 16 hereof.

16. Deposits may be made in the name of the trustees of any institution of the classes set out in the two last preceding regulations :

Provided that no account shall be opened by trustees for any such institution if an account is in existence opened by such institution under either of the two last preceding regulations.

DEPOSITOR LIMITED TO ONE ACCOUNT

17. (1) Moneys belonging to any person shall not be deposited in the Post Office Savings-bank to the credit of more than one account otherwise than as provided in clause (2) of this regulation.

(2) Nothing in clause (1) of this regulation shall prevent moneys belonging to any person from being deposited to the credit of more than one account—

(a) Where all the accounts but one are accounts of moneys in which such person has no beneficial interest except as a member of an institution, whether incorporated or not ; or

(b) Where all the accounts but one, or all the accounts, are accounts of moneys in which the sole beneficial interest of such person is an interest as beneficiary in the estate of a deceased person or under a formal instrument creating a trust so long as not more than one of such accounts relates to each of such estates or trusts.

(3) If by reason of any contravention of this regulation any person receives or any account is credited with interest in excess of the amount which such person may properly receive or with which such account may properly be credited, such excess may be recovered as a debt due to the Crown from any person by whom it has been received or may be forfeited and debited to the account to which it was credited, and in the latter case may at any time be entered as a debit in the appropriate depositor's book without the consent of the depositor being first obtained.

PROCEDURE ON MAKING DEPOSITS

18. (1) On the making of a first deposit, and whenever thereafter he is required by the Postmaster-General so to do, the depositor shall specify in writing to the Postmaster-General his Christian or forename, surname, and occupation, and the full postal address of his place of residence, and furnish a specimen of his signature and of the signature of any other person required to join in an application for withdrawal of moneys credited to the account.

(2) On the making of a first deposit the depositor shall, unless some other form of declaration is required by these regulations, furnish if so required a declaration in the form numbered 1 in the Schedule hereto with such modifications (if any) as the case may require.

19. (1) In the case of a first deposit made on behalf and in the name of any person other than the person actually making the deposit, the last-named person shall furnish the particulars prescribed in Regulation 18 hereof (including a specimen signature if obtainable) both in respect of himself and of the depositor, and any declaration required shall be in the form numbered 2 in the Schedule hereto.

(2) If the depositor is an infant under seven years of age the person making the deposit shall also specify his relationship (if any) to the infant and the date on which the infant will attain the age of seven years, and upon attaining the age of seven years and thereafter when required the infant shall furnish a specimen of his signature.

20. On the making of a first deposit in a trust account in the name of one or more persons as trustee or trustees for another person whose name is also entered in the title of the account, any declaration required shall be in the form numbered 3 in the Schedule hereto, and if the other person is an infant under the age of seven years the provisions of clause (2) of Regulation 19 hereof shall apply.

21. (1) On the making of a first deposit in an account in the name of an institution, whether incorporated or not, or in the name of a trustee or trustees of such institution, the person actually making the deposit shall, if so required, furnish a declaration in the form numbered 4 in the Schedule hereto.

(2) Before such first deposit is made there shall be forwarded to the Postmaster-General a printed or typewritten copy of the rules of the institution verified by the certificate of a responsible officer thereof or by statutory declaration, or in such manner as the Postmaster-General may in his discretion require.

(3) A copy of any alteration made from time to time in the rules of the institution shall forthwith be forwarded to the Postmaster-General and be verified as aforesaid.

(4) If by reason of any alteration in the rules of an institution the Postmaster-General considers that the institution has become one the nature of the activities of which makes it undesirable that it should enjoy the benefit of being a depositor in the Post Office Savings-bank, he may, by notice to the institution or to the secretary or other officer thereof, require the account to be closed, and no deposit shall be received or interest shall be credited to the account after the giving of such notice.

22. (1) Every depositor shall enter the amount of each deposit made by him on the deposit slip supplied for the purpose by the Postmaster-General; he must also sign his name on the said deposit slip and state thereon the address to which he desires that such acknowledgment as is hereinafter referred to may be transmitted. Under no circumstances may a depositor enter any sum or make any entry whatever in the numbered book issued to him.

(2) When a first deposit is made, a numbered book (in these regulations referred to as the "depositor's book") shall be handed to the depositor.

23. (1) The acknowledgment of the Postmaster-General of the receipt of a deposit of £100 or more shall be signified by the Director of Accounts, or by such other officer as the Postmaster-General shall appoint for the purpose, and shall be in the form numbered 5 in the Schedule hereto.

(2) In order to allow a reasonable time for the receipt of such acknowledgment, the entry in the depositor's book shall be evidence of title for six weeks from the date of the lodgment of the deposit; and if such acknowledgment has not been received by the depositor through the post within one month from the date of his deposit, and the depositor has before or upon the expiry thereof demanded the said acknowledgment from the Postmaster-General, the entry in his depositor's book shall be evidence of title during another term of one month, and *toties quoties*.

(3) In the case of a deposit of less than £100, the entry in the depositor's book shall be conclusive evidence of title in the same manner as an acknowledgment by the Postmaster-General of a deposit of £100 or more, and it shall not be necessary to transmit any acknowledgment of a deposit of less than £100.

(4) As provided by the Post and Telegraph Act, 1928, no such entry in a depositor's book shall entitle the depositor to withdraw the amount of any cheque, bill of exchange, or other document that has not been collected.

24. If a cheque or other negotiable instrument is dishonoured, the amount thereof shall forthwith be debited to the savings-bank account to which the amount was previously credited, and the Postmaster-General may forthwith or at any time thereafter cause to be debited in the depositor's book the amount of the dishonoured cheque or other negotiable instrument, and such entry, whenever made, shall be as effective as if made at the time when the instrument was dishonoured.

25. (1) No charge shall be made for a depositor's book except where expressly provided by these regulations.

(2) Every depositor's book shall be deemed to be and remain the property of the Postmaster-General, and shall be delivered up as and when required by the Postmaster-General.

WITHDRAWALS

26. Subject to the provisions of these regulations, any depositor wishing to withdraw the whole or part of the sum deposited by him may be required to give at least seven days' previous notice, in a form approved by the Postmaster-General, to the Chief Postmaster or the Postmaster in charge of the office in which the account is kept.

27. (1) Every depositor upon making a withdrawal of money deposited shall, unless excused on special grounds, produce his depositor's book and shall sign a receipt in the form approved by the Postmaster-General.

(2) The paying officer shall, unless production of the depositor's book is specially excused, enter the amount of the withdrawal therein, and attest the entry with his initials and the dated stamp of his office.

28. (1) An application for the withdrawal of money deposited by or in the name of an infant may be made by such infant if of the age of seven years or upwards.

(2) Where it is proved to the satisfaction of the Postmaster-General that any sums in the name of an infant under the age of seven years are urgently needed for the maintenance, education, or benefit of such infant, or that from any other circumstances it is expedient to pay such sums or any part thereof, the Postmaster-General may pay such deposit or any part thereof to any person who may satisfy the Postmaster-General that he will apply such money for the benefit of such infant.

29. (1) An application for the withdrawal of money deposited in the name of a person of unsound mind shall be made either by the Public Trustee or by the committee of the estate of such person.

(2) Where a depositor is of unsound mind and no committee of his estate has been appointed or claim made by the Public Trustee, the Postmaster-General may, when it is proved to his satisfaction that it is just and expedient so to do, pay the deposits standing in the name of the depositor, or any part thereof, to any person whom he shall judge proper to receive the same.

30. (1) An application to withdraw money deposited in the joint names of two or more persons shall be made by all such persons, or by the survivors or survivor amongst such persons.

(2) The Postmaster-General may require proof of survivorship to his satisfaction.

(3) Where one of the depositors in a joint account has become of unsound mind, the Postmaster-General may, in his discretion, pay the deposits to the other person or persons named in such account.

31. (1) An application to withdraw money deposited in the name or names of one or more persons as trustee or trustees for another person, pursuant to Regulation 10 hereof, shall be made jointly by all the persons named in the title of the account, or by the survivors or survivor among such persons.

(2) The Postmaster-General may require proof of survivorship to his satisfaction.

32. (1) Where an account has been opened by one or more persons pursuant to Regulation 11 hereof as trustees, executors, or administrators in the estate of any deceased person or under any formal instrument creating a trust, and letters of administration in the estate concerned or probate or other formal instrument creating the trust has been produced to and noted by the Postmaster-General, it shall not be necessary for any person whose name is entered in the title of the account otherwise than as a trustee, executor, or administrator to be joined in an application to withdraw money from the account, but the application may be made pursuant to clauses (2) and (3) hereof.

(2) An application to withdraw moneys deposited under Regulation 11 hereof shall be made jointly by the trustees, executors, or administrators entitled thereto.

(3) Nevertheless, where the number of such persons exceeds two, moneys deposited in the account may be paid to any two or more of their number authorized either generally or for any particular transaction by notice in writing given to the Postmaster-General by the remaining persons to make application to withdraw such moneys.

(4) Any such notice shall be deemed to continue in force until notice of revocation thereof is received by the Postmaster at the chief post-office or ledger office where the account is kept.

33. (1) On the death or discharge of any trustee, executor, or administrator whose name is entered in the title of an account opened under Regulation 11 hereof, or on the addition or substitution of any other trustee, executor, or administrator, then on evidence of such death or discharge or on production of probate, vesting order, vesting declaration, or other instrument vesting the legal ownership of such deposit, and on such verification thereof or evidence of identity as the Postmaster-General may require, the names of the surviving, remaining, added, or substituted trustees, executors, or administrators shall be entered in the title of the account as being the persons entitled thereto.

(2) Any new trustees, executors, or administrators shall, before their names are so entered, comply with clause (1) of Regulation 18 hereof.

(3) Any moneys in the account may thereupon be paid to the persons named in the title of the account as altered in manner provided by this regulation or to two or more of such persons as provided by Regulation 32.

34. Where a depositor named in a trust account has become of unsound mind or bankrupt, the Postmaster-General may, in his discretion, pay the deposits to the other person or persons named in such account with or without the concurrence of the Public Trustee or of the committee of the estate or Official Assignee in Bankruptcy (if any) of the depositor who has become of unsound mind or bankrupt.

35. (1) An application to withdraw money deposited in any account opened under the provisions of Regulation 13 hereof shall be made jointly by the controlling officer for the time being and by either the inmate personally or by at least one other person nominated in writing generally or otherwise by the inmate for that purpose.

(2) The Postmaster-General may, in his discretion, require proof to his satisfaction that any person is the controlling officer for the time being of such society, and of the identity of any person making or joining in such application or making any such nomination as aforesaid.

WITHDRAWALS BY INSTITUTIONS

36. (1) An application for the withdrawal of money deposited pursuant to Regulation 14 or Regulation 15 hereof in the name of an institution (whether a body corporate or not) shall be made as provided in this regulation.

(2) If the rules of the institution make provision to the effect that money in a bank account belonging to the institution may be withdrawn by persons (being not less than two in number) holding specified offices in the institution, then such application may be made by the persons for the time being holding such offices.

(3) If the rules of the institution make provision to the effect that money in a bank account belonging to the institution may be withdrawn by persons appointed for that purpose in manner appointed by the rules, then such application may be made by the persons (not being less than two in number) so appointed.

(4) In the absence of any such rules as aforesaid, such application may be made by any persons (not being less than two in number) appointed from time to time for that purpose by a resolution of the institution or of the managing body thereof or (if the institution be a corporate body) by an instrument under the common seal.

(5) In the absence of any such rules or resolution as aforesaid, an application to withdraw money deposited in the name of the institution shall be signed by the trustee or trustees (if there are not more than two trustees) of the institution for the time being, and if there are more than two trustees, then by a majority of the trustees for the time being, and the persons so signing shall be deemed to be entitled to withdraw money so deposited.

(6) The Postmaster-General may from time to time in his discretion require proof to his satisfaction by way of certificate from the chairman of a meeting, statutory declaration, and otherwise of the regularity of any election to office or of an appointment of any person or of any instrument of appointment or other matter.

(7) Every election and appointment of an officer or trustee of the institution appointed to withdraw moneys shall, for the purpose of this regulation, be deemed to continue in force until notice to the contrary is received by the Postmaster at the chief post-office or ledger office where the account is kept.

(8) The Postmaster-General may from time to time in his discretion require proof to his satisfaction of the identity of any person claiming to be entitled to withdraw money under this regulation, including verified specimens of the signature of such person.

(9) The provisions of Regulation 39 hereof shall have no application to an account to which this regulation applies.

37. (1) An application to withdraw moneys deposited for the credit of the trustees of an institution (whether a body corporate or not) may be signed by the trustee or trustees (if there are not more than two trustees) of the institution for the time being, and if there are more than two trustees, then by a majority of the trustees for the time being, and the persons so signing shall be deemed to be entitled to withdraw money so deposited.

(2) The clauses numbered respectively (6) to (9) of the last preceding regulation shall apply, *mutatis mutandis*, to the withdrawal of moneys under this regulation.

38. Any authorization, nomination, or appointment heretofore given under any regulation hereby revoked, by an institution or by the trustees or officers of such institution, relating to the withdrawal of moneys from an account in the Post Office Savings-bank, or relating to the persons authorized to effect such withdrawal, may be accepted as if it had been given pursuant to Regulation 36 or Regulation 37 hereof, as the case may require, notwithstanding that it may not in all respects comply with the requirements of such last-mentioned regulation.

WITHDRAWALS BY AGENTS

39. (1) A depositor may appoint an agent either to receive a particular repayment of moneys lodged to his account or to operate upon his account generally.

(2) Such appointment shall be made either by power of attorney duly executed as a deed or by an order in the respective form approved by the Postmaster-General and attested as hereinafter provided.

(3) An appointment made otherwise than by power of attorney shall be signed in the presence of one or other of the following persons, that is to say,—

- (a) Any responsible officer of the Postmaster-General, other than the paying officer :
- (b) A minister of any religious denomination :
- (c) A Judge of the Supreme Court, Stipendiary Magistrate, Mayor, or Justice of the Peace :
- (d) A notary public or solicitor of the Supreme Court :
- (e) The medical attendant of the person named in the warrant :
- (f) Any person or class of persons for the time being approved by the Postmaster-General in that behalf.

(4) A particular order may be accepted signed by a minor of the age of seven years or upwards, and a general order so signed may be accepted if in particular circumstances the Postmaster-General thinks fit so to direct.

(5) Any document signed by a minor in accordance with this regulation shall be valid and binding upon him as if being of full age he had signed such document.

(6) An appointment may be made by any person who is a trustee, executor, or administrator.

(7) Upon an appointment in favour of persons trading under any style or firm or in favour of a corporate body, payment may be made to any principal of such firm or to any officer or servant of the corporate body authorized by the corporate body in that behalf in like manner as a corporate body may under these regulations authorize persons to withdraw moneys deposited in the name of the corporate body.

(8) An appointment may at any time be revoked by the depositor by notice in writing under his hand, but such revocation shall not be effective until it is received by the Postmaster at the chief post-office or ledger office where the depositor's account is kept.

(9) In the absence of effective written notice of revocation, the presentation of the depositor's book by the authorized agent may be accepted by the Postmaster-General as sufficient evidence of non-revocation of the appointment.

(10) This regulation shall not apply to accounts opened under Regulations 14, 15, and 16 hereof.

RECEIPT TO BE GOOD DISCHARGE

40. The receipt of any person or persons to whom it is by these regulations provided that any moneys deposited in an account in the savings-bank may be paid or by whom it is so provided that an application to withdraw moneys may be made shall be a good discharge to the Postmaster-General for any sum so paid to such person or persons under the authority of these regulations and specified in the receipt.

PAYMENT BY TELEGRAPH OR RADIO-TELEGRAPH

41. (1) A depositor whose account is kept at a chief post-office wishing to obtain payment of any sum on the day on which he gives notice of withdrawal may make application in that behalf in the form approved by the Postmaster-General at any savings-bank office within the district in which the account is open to have his application submitted to the Chief Postmaster by telegraph.

(2) A specimen of the signature of the depositor must be filed at the office where the application is made and the pass-book must be produced at the time of the application.

(3) The depositor shall pay to the Postmaster the cost of the telegram to and the reply from the Chief Postmaster.

(4) Provided that the signature of the applicant is in agreement with the specimen of the signature of the depositor on file at the office, and that there appears to be sufficient money at credit of the savings-bank account of the depositor to allow of payment of the required amount, the Postmaster shall forward to the Chief Postmaster a telegram stating the name of the depositor, the number of his book, and the amount required.

(5) On receipt from the Chief Postmaster of a telegram authorizing payment of the amount applied for, or any smaller sum, the Postmaster shall pay to the depositor, or an agent duly appointed by him, the amount authorized, taking his receipt therefor, and shall enter the amount in the pass-book and attest the entry in the manner prescribed by these regulations.

42. At offices where telegraph and telephone facilities are not available and the ordinary means of communication is by radio, application for a withdrawal may be made by radio under the conditions set out in the preceding regulation.

43. Should the funds at the disposal of a Postmaster be insufficient to meet a withdrawal by telegraph or radio-telegraph at a place where there is no agency of the bank at which the Government account is kept, the Postmaster-General may direct that payment be made by cheque, and shall not be liable for or entertain any claim for exchange charge on such cheque if negotiated at any place or at any bank other than that upon which it is drawn.

ALTERATION IN TITLE OF TRUST ACCOUNT

44. (1) Where an account is open in the name or names of one or more persons as trustee or trustees for another person whose name is also entered in the title of the account, upon the application of all the persons whose names appear in the title of the account, or, in special cases, upon the sole application of the person on whose behalf the account was opened, the Postmaster-General may, in case he should think it just or expedient so to do, remove the name of the trustee or names of the trustees, if there be more than one, from the title of the account, and may substitute the name or names of another or others in the place thereof, or may enter the account in the name of the person on whose behalf the account was opened.

(2) Where the name of a new trustee or names of new trustees, if there are more than one, is or are substituted, such trustee or trustees, or the person on whose behalf the account was opened if the account is to remain open in the name of that person solely, shall comply with the requirements of clause (1) of Regulation 18 hereof.

(3) In any case provided by this regulation the receipt of the persons named in the title of the account as altered in manner provided by this regulation shall be a good discharge to the Postmaster-General for any sums standing to the credit of the account.

NOMINATIONS

45. (1) Subject to the provisions of these regulations, a depositor of the age of twenty-one years or upwards may nominate any person to receive any sum due to him at his death :

Provided, nevertheless, that the Postmaster-General may, in his discretion, refuse to accept or register any nomination.

(2) Every nomination shall be made in writing in the form approved by the Postmaster-General for the purpose, and shall be signed by the nominator in the presence of a witness, and the signature of the nominator shall be attested by the witness.

(3) A nomination shall be of no effect unless it is despatched to the Postmaster-General during the lifetime of the nominator.

(4) Every nomination shall be registered by the Postmaster-General and returned to the nominator.

(5) A nomination may be in favour of one person or of several persons (who shall be clearly designated in the nomination), and where there is more than one nominee may direct that specific sums shall be paid to one or more of the nominees or that the nominees shall take the money nominated in specified shares, or may give directions to both effects.

(6) No person who attests the signature of a nominator to a nomination shall take any benefit thereunder.

46. (1) A nomination shall be revoked—

(a) By the death of the nominee, or, where there is more than one nominee, by the death of all the nominees, in the lifetime of the nominator :

(b) So far as it relates to the interest thereunder of any nominee (being one of two or more nominees), by the death of that nominee in the lifetime of the nominator unless the interest of the nominee is disposed of by the nomination :

(c) By the marriage of the nominator :

(d) By written notice of revocation given in accordance with these regulations :

- (e) By a subsequent nomination duly made in accordance with these regulations by the same nominator disposing of either the whole or any part of the moneys disposed of by the earlier nomination, but so far only as respects those moneys or that part of those moneys, as the case may be :

but a nomination shall not be revoked by any will or by any other act, event, or means whatsoever.

(2) A notice of revocation for the purpose of these regulations shall be signed by the nominator in the presence of a witness, who shall attest the signature of the nominator, and the notice shall be of no effect unless it is despatched to the Postmaster-General during the lifetime of the nominator.

(3) Notwithstanding that a nomination has been revoked by the marriage of the nominator, any payment which, before the marriage comes to the knowledge of the Postmaster-General, is made by him, being a payment which would have been a lawful payment if the nomination had not been so revoked, shall be as valid as if the nomination had not been so revoked.

47. (1) Every nominator shall, on making the nomination, furnish to the Postmaster-General full particulars of the account to which the nomination applies.

(2) Every nominator shall, if and whenever the savings-bank account to which the nomination applies is transferred from one chief post-office or ledger office to another chief post-office or ledger office, or when there is a change in the number of the account, make such corrections in and additions to the particulars furnished on making the nomination as may be necessary, and shall forthwith forward to the Postmaster-General the amended particulars.

(3) Where, by reason of the failure of a nominator to comply with this regulation, any money payable in respect of the deposits of the nominator at the date of his death is paid to a person other than the nominee or a person claiming through him, that payment shall be as valid as if the nomination had not been made.

48. (1) On the death of any nominator the Postmaster-General shall, subject to paragraphs (a), (b), and (c) of this clause, pay the nominee according to the directions of the nomination :

Provided that—

- (a) If, on the death of a nominator, any nominee is under the age of twenty-one years, the Postmaster-General shall not make any payment to that nominee until he attains that age, but may, if it is shown to the satisfaction of the Postmaster-General that it is expedient that the sum nominated or any part thereof should be paid and applied for the maintenance or otherwise for the benefit of that nominee, pay the said sum or that part to any person who satisfies the Postmaster-General that he will apply it for such purposes as aforesaid :
- (b) If the nominee is of unsound mind and no committee of his estate has been appointed, the Postmaster-General may pay the sum nominated or any part thereof to any person undertaking to maintain such nominee :
- (c) Where it appears to the Postmaster-General that the estate of the nominator, apart from the sum nominated, is insufficient to satisfy any claims of creditors of which the Postmaster-General has notice, he may, if he thinks fit, apply the amount nominated or any part thereof in or towards satisfaction of the claims.

(2) Where a nominee dies after the death of the nominator but before any sum has been paid to him as nominee, the provisions of these regulations shall apply to the nominee and the sum payable to him as if at the date of his death the deceased nominee were a depositor in the savings-bank and the said sum deposited in his name in a savings-bank account.

DEPOSITORS' BOOKS

49. Every depositor shall once in each year, and whenever so required by the Postmaster-General, forward his book to the Chief Postmaster of the district in which his account is kept or to the Postmaster in charge of a ledger office, as the case may require, in a cover to be obtained at any savings-bank office, in order that the entries in the said book may be compared with the entries in the records of the Postmaster-General and that the interest due to the depositor may be inserted in his book.

50. (1) A depositor whose book is lost or destroyed shall make written application to the Postmaster at the chief post-office or the ledger office where the account is kept for the issue of a new book and shall furnish such statement or other evidence as may be required to satisfy the Postmaster of the loss or destruction of the book and to establish his identity as the depositor.

(2) Upon receiving such application the Chief Postmaster or the Postmaster at the ledger office may, if he thinks fit, issue a new depositor's book to the applicant and may charge therefor the sum of 1s.

(3) The Postmaster-General may pay any sum in respect of any amount in the Post Office Savings-bank without the production of the depositor's book where he is satisfied that the depositor or other claimant is entitled to receive such sum.

51. If a depositor's book becomes dilapidated through ill-usage, the depositor may be required to make application for a new one and pay a fee of 1s. therefor.

52. If any person who is or has been a depositor, or any person acting on his behalf, applies for a copy of the whole or any portion of the entries in his account, the same shall be supplied to him on payment of a fee of 1s. :

Provided that where the time involved in preparing the copy of the account exceeds thirty minutes, an additional charge at the rate of 9d. for each fifteen minutes of such excess shall be payable.

TRANSFERS BETWEEN DISTRICTS AND ADMINISTRATIONS

53. A depositor whose account in the savings-bank has been open for three months may have it transferred from the chief post-office or ledger office where it is open to any other chief office or ledger office. Where an account is transferred from one postal district to another a fee of 1s. shall be payable, save that the fee for the transfer of an account from or to Western Samoa shall be 1s. for each £5 or fraction thereof.

54. The Postmaster-General may, if he sees fit, transfer the account of a depositor, although it may not have been open three months, where he is satisfied that there are special circumstances which warrant his doing so.

55. The Postmaster-General may authorize the acceptance of deposits for credit of savings-bank accounts open in postal districts other than that in which the deposits are tendered. There shall be paid by depositors to the Postmaster-General a fee of 6d. for each

£20 or fraction thereof so deposited, unless the account is open in the name of a member of any of His Majesty's Armed Forces of any British country or a member of a British Mercantile Marine in New Zealand waters, in which case no fee shall be charged.

56. The Postmaster-General may authorize a withdrawal by transfer to be made from a savings-bank account open in a district other than that in which application is made for repayment. There shall be paid by the depositor to the Postmaster-General a fee of 6d. for each £20 or fraction thereof so withdrawn, unless the account is open in the name of a member of any of His Majesty's Armed Forces of any British country or a member of a British Mercantile Marine in New Zealand waters, in which case no fee shall be charged.

57. Upon written application by a depositor and upon payment by him of such fee as may from time to time be determined by the Postmaster-General, in addition to the ruling rate of exchange, the whole or any portion of the amount standing to the credit of an account may be transferred from the Post Office Savings-bank of New Zealand to the Post Office Savings-bank of the United Kingdom or that of any British or foreign country with which a reciprocal arrangement to that effect has been made.

58. The Postmaster-General may accept as a deposit to the Post Office Savings-bank any amount transferred for that purpose from the Post Office Savings-bank of the United Kingdom or of any British or foreign country with which a reciprocal arrangement to that effect has been made.

LETTERS OF CREDIT

59. (1) A depositor in the savings-bank, other than one whose account is kept at Apia or Rarotonga, may obtain from or through the chief post-office or ledger office at which the account is kept a letter of credit for an amount not exceeding £50.

(2) On presentation of the letter of credit during the period of currency at any savings-bank office within New Zealand, except Cook Islands and except Western Samoa, the depositor may withdraw the whole or any portion thereof.

(3) The period of currency of a letter of credit shall be such as is determined by the Postmaster-General from time to time.

(4) There shall be charged for the letter of credit an amount equal to the commission applicable on the date of issue of the letter of credit to a remittance of a similar amount by money-order within New Zealand.

MISCELLANEOUS

60. Where a first or other deposit is made in error, the Postmaster-General may return the same and cancel all proceedings taken in respect thereof, or may take such other steps as may be necessary to give effect to the intention of the parties.

61. Declarations, depositors' books, acknowledgments, and all documents and correspondence passing between the Postmaster-General and any depositor or other person in relation to savings-bank business shall be transmitted by post free of postage.

62. Payment of a savings-bank warrant may, upon application by the depositor to the Chief Postmaster of the district in which the account is open, and upon payment of a fee of 1s., be transferred from the savings-bank office upon which it was drawn in the first instance to any other savings-bank office in the same district.

63. The currency of a warrant for the repayment of savings-bank deposits is limited to three months; if unpaid at the end of such period the amount thereof shall be treated as paid to and redeposited by the depositor.

64. If a depositor opens an account and closes it again within a period of one month from the date on which he opened it, he shall be charged a fee of 1s.

65. When a female depositor marries she shall submit evidence of such marriage to the Chief Postmaster of the district in which her account is open or to the Postmaster at the ledger office, as the case may be, and shall furnish a specimen of her signature.

DESTRUCTION OF SAVINGS-BANK USED BOOKS AND FORMS

66. (1) The period of time for which the documents hereinafter described shall be retained in the custody of the Postmaster-General shall be as follows:—

	Years.
Deposit-slips for deposits	6
Ledger summaries	4
Withdrawal notices	6
Receipts for withdrawals	6
Letters of credit	6
Advices of paid savings-bank warrants	1
Depositors' books relating to closed accounts	1
Filled savings-bank journals	7
Statements of deposits and withdrawals	6

(2) After the expiration of the period named in each case the respective documents shall be burnt in the presence of two officers to be deputed by the Director-General of the Post and Telegraph Department to supervise their destruction.

SCHEDULE

FORM No. 1

DECLARATION BY DEPOSITOR OPENING A POST OFFICE SAVINGS-BANK ACCOUNT ON HIS OWN BEHALF

I, [*Name in full, abode, and occupation*], do solemnly and sincerely declare as follows:—

- (1) I desire to become a depositor on my own behalf in the Post Office Savings-bank.
- (2) I am not directly or indirectly entitled to any benefit from any deposit in the Post Office Savings-bank.
- (3) I am aware that, whatever my deposits may amount to, I am not entitled to interest on more than £2,000.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the Justices of the Peace Act, 1927.

Declared at, this day of,
19.., before me—

C.D.,
Authorized Post Officer
(or Justice of the Peace, or Solicitor).

} A.B., Depositor.

NOTE.—A person is not deemed to be entitled to any benefit from any deposit—

- (a) Made by him as trustee for any other person; or
- (b) Made by any institution of which he may be a member.

Form No. 2

DECLARATION BY AGENT OF DEPOSITOR OPENING A POST OFFICE SAVINGS-BANK
ACCOUNT FOR THE PRINCIPAL

I, [*Name in full, abode, and occupation*], do solemnly and sincerely declare as follows :—

- (1) I desire that [*Name in full, abode, and occupation of principal*] shall become a depositor on his own behalf in the Post Office Savings-bank.
- (2) The said is not directly or indirectly entitled to any benefit from any account in the Post Office Savings-bank.
- (3) I am aware that whatever the deposits of the said may amount to he is not entitled to interest on more than £2,000.
- (4) I am duly authorized to make deposits in the Post Office Savings-bank on behalf of and for the credit of the said
- (5) (*Where the principal is under seven years of age, add*) The said is an infant under the age of seven years and will attain that age on the day of, 19...

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the Justices of the Peace Act, 1927.

Declared at, this day of,
19.., before me—

C.D.,
Authorized Post Officer
(*or Justice of the Peace, or Solicitor*).

} A.B., Depositor.

NOTE.—A person is not deemed to be entitled to any benefit from any deposit—

- (a) Made by him as trustee for any other person ; or
- (b) Made by any institution of which he may be a member.

Form No. 3

DECLARATION BY TRUSTEE OPENING A POST OFFICE SAVINGS-BANK ACCOUNT ON
BEHALF OF ANOTHER

I, [*Name in full, abode, and occupation*], do solemnly and sincerely declare as follows :—

- (1) I desire to become a depositor in the Post Office Savings-bank as the trustee of [*Name and address*].
- (2) The said is not directly or indirectly entitled to any benefit from any deposit in the Post Office Savings-bank, nor am I so entitled on his behalf.
- (3) I am aware that, whatever my deposits as such trustee may amount to, neither I nor the said is entitled to interest on more than £2,000.
- (4) (*Where the beneficiary is under seven years of age, add*) The said is an infant under the age of seven years, and will attain that age on the day of, 19...

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the Justices of the Peace Act, 1927.

Declared at, this day of,
19.., before me—

C.D.,
Authorized Post Officer
(*or Justice of the Peace, or Solicitor*).

} A.B., Trustee.

NOTE.—A person is not deemed to be entitled to any benefit from any deposit—

- (a) Made by him as trustee for any other person ; or
- (b) Made by any institution of which he may be a member.

Form No. 4

DECLARATION WHERE DEPOSITOR IS A FRIENDLY SOCIETY OR OTHER INSTITUTION
I, [Full name, abode, and occupation], do solemnly and sincerely declare as follows :—

- (1) I am the (treasurer) (or secretary) (or trustee) of the [Name of society].
- (2) I am authorized by the said society to open an account on its behalf in the Post Office Savings-bank.
- (3) No moneys will at any time be deposited in the said account which are not the exclusive property of the society.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the Justices of the Peace Act, 1927.

Declared at, this day of, 19.., before me—	}	A.B., Declarant.
C.D., Authorized Post Officer (or Justice of the Peace, or Solicitor).		

Form No. 5

General Post Office, Wellington.

THE Postmaster having reported to the Postmaster-General the receipt by him of your deposit of—

Date: Account No. Amount: £.....
that amount has been placed to the credit of your account in the books of this Department.

.....
Director of Accounts.

N.B.—Should any alteration or erasure appear to have been made in this acknowledgment or should it be inaccurate in any particular, it should be returned to the Director of Accounts, General Post Office, Wellington C. 3.

C. A. JEFFERY,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 21st day of December, 1944.

These regulations are administered in the Post and Telegraph Department.