CHAPTER 315

SAVINGS BANK

SAVINGS BANK RULES

(SECTION 14)

[Commencement 30th August, 1947]

G.N. 38/1950 G.N. 200/1955 G.N. 253/1956 G.N. 186/1961 G.N. 21/1963 S.I. 66/1966 S.I. 1/1967

G.N. 203/1947

- 1. These Rules may be cited as the Savings Bank Rules.
- 2. (1) In these Rules, unless the context otherwise requires —

Interpretation.

- "account" means the account of a depositor in a post office savings bank;
- "association" means any number of persons who have formed themselves into an association for any of the purposes set forth in sections 2, 3 and 4 of the Friendly Societies Act, but are not established as a friendly society;

Ch. 313.

- "bank" means the Post Office Savings Bank of The Bahamas and includes a branch;
- "branch" means any branch post office savings bank established by law;
- "deposit" means money paid into a bank by or on behalf of a depositor;
- "depositor" means the person by whom, or on whose behalf, money is deposited;
- "district postmaster" means the officer in charge of any district post office established by law;
- "Form" means a Form prescribed by the Schedule to these Rules:
- "friendly society" means any society established under the Friendly Societies Act or any Act passed in amendment thereof or substitution therefor;
- "minor" means a person under the age of thirteen years;

"Postmaster General" means the Postmaster General of The Bahamas or Acting Postmaster General or other officer of the Post Office Department deputed by him;

"Schedule" means the Schedule to these Rules.

S.I. 66/1966.

Bank not to be used for keeping

(2) In these Rules references to the words "dollar" and "cent" or the symbol "\$" shall be construed as references to the currency established for The Bahamas by section 8 of the Central Bank of The Bahamas Act.

Ch. 351.

a current

account.

The purpose of the bank is to provide a ready

right and title to his deposit.

means for the deposit of savings and so to encourage thrift. The bank is not to be used for the purpose of keeping a current account and the Postmaster General may close an account should he have reason to believe that the depositor has used the bank for a purpose for which it was not intended.

Accounts may be closed by Postmaster General

4. If an account be closed under order of the Postmaster General, notice in writing will be sent to the depositor requiring him to present his deposit book and receive payment of the balance to his credit as soon as convenient. After the date of such notice, no deposit will be accepted on the account so closed and no interest will be allowed upon the balance after the date of such notice.

Hours of business.

Unless otherwise directed by the Minister a bank will be opened for the transaction of business between the hours of 9.30 a.m. and 2.30 p.m. every day excepting Saturdays, when the bank will be closed at 12 noon.

(1) Every depositor on making a first deposit

The depositor on opening an account must give full name, etc Form A

Schedule.

shall be required to specify his Christian name and surname, occupation and residence to the Postmaster General or district postmaster, as the case may be, receiving the deposit, and make and sign the declaration in the Form A in the Schedule which shall be witnessed by the person receiving the deposit, or by some person known to him; and if such declaration or any part thereof shall not be true the depositor making the same shall forfeit and lose all

Form B

Schedule.

(2) When the first deposit is made by a person as trustee on behalf of another person the person so depositing shall make the declaration in the Form B in the Schedule

- (3) With the first deposit made for a friendly society or for an association there shall be delivered to the Postmaster General or district postmaster a certificate signed by the persons holding the office of president and treasurer of such society or association to the effect that they are the president and treasurer thereof, which certificate shall be declared to before a justice of the peace.
- (4) On making declaration and in all cases in which the signature of the depositor is required, if he cannot write, his mark must be affixed in the presence of the officer receiving the deposit or some person known to the officer.
- 7. Every deposit received by the Postmaster General, or a district postmaster, shall be entered by him at the time in a numbered deposit book. The entry shall be attested by him, and he shall stamp it with the date stamp of his office. The deposit book with the entry so attested shall then be given to the depositor and retained by him as evidence of the receipt of the deposit. The depositor shall sign his name in a place to be provided for his signature in such deposit book.

Deposits must be entered in deposit

8. The Postmaster General on receiving a deposit under the preceding rule shall, before delivering to the depositor the deposit book in which he has entered such deposit, make an entry in a ledger to be kept by him for such purpose of the name, occupation and residence of such depositor and the amount deposited by him, which entry shall be the account of such depositor in the books of the Department, and to which shall be added all future deposits and withdrawals made and entries of interest accruing thereon.

Transaction must be entered in deposit book and ledger.

9. In the case of the receipt of a deposit by a district postmaster the amount of such deposit and the name, occupation and residence of the depositor shall immediately upon the receipt thereof be communicated to the Postmaster General at Nassau who shall enter the particulars received in the ledger in which the entries of deposits made in Nassau are entered, and such entries in like manner as in the case of depositors in New Providence represent the account of depositors on the various Out Islands from which the deposits have been received. The district postmaster shall at the same time transmit all moneys received as deposits to the Postmaster General.

Procedure in connection with deposits received by the district postmasters.

Acknowledgement must be forwarded to the depositor. Form C. Schedule.

If depositor does not receive acknowledgement enquiry to be made.

Accounts may be opened by any person on his own behalf or as a trustee.

Deposits may be made jointly.

Form D. Schedule.

Additional name may be added to the account.

Women should notify Postmaster General on marriage.

Transactions may be made with any branch office.

- 10. The Postmaster General shall forward to each depositor of a deposit received from a district postmaster an acknowledgement, in the Form C in the Schedule, of the receipt of the said deposit, which shall be conclusive evidence of his claim to the repayment of the deposit with interest thereon.
- 11. If the depositor, referred to in rule 10, does not receive this acknowledgement within thirty days after making his deposit he must apply for the same to the Postmaster General at Nassau by letter and if necessary renew his application until he receives it.
 - **12.** (1) Any person may deposit money in a bank —
 - (a) on his own behalf;
 - (b) as a trustee on behalf of any other person;
 - (c) on behalf of friendly societies and associations;
 - (d) in the name of a minor.
- (2) No person can have more than one account in his own name or in the name of any other person.
- 13. Deposits may be made in the bank by two or more persons jointly on their own behalf, provided no one of them has any other account in the bank. The intending depositors shall be required to make a declaration in the Form D in the Schedule.
- 14. Any depositor may apply to the Postmaster General for the addition of the name of another person in the title of his account. When such an application is made the applicant's account shall be closed and a new account shall be opened with the addition of the name of the other person.
- 15. Any woman who marries while she is a depositor should notify the Postmaster General of her change of name and forward to him her deposit book, thereupon the balance of her account in her maiden name will be transferred to an account in her married name and a new deposit book issued for the said account.
- 16. A depositor having opened an account at one bank may add to his deposits at and withdraw the whole or any part of them from any other bank without change of deposit book. The transaction will be subject to regulations relative to deposits and withdrawals made in an Out Island

17. Deposits on behalf of a friendly society or of an association must be made in the name of the society or of the association.

Friendly society deposits.

18. The smallest sum of money that can be deposited at any one time is one dollar, and no sum can be deposited that is not a multiple of one dollar.

Limitations of deposits. *G.N.* 253/1956.

(a) Subject to the provisions of rule 19 a depositor cannot deposit a larger sum than \$3,500 in any one year ending the 30th day of June nor can he be allowed to have at any one time more than \$6,000 to his credit.

S.I. 66/1966.

- (b) Subject to the limit of \$6,000 a depositor may, besides depositing \$3,500 in the year, deposit in any year ending the 30th day of June, any sum or several sums for the purpose of replacing in whole or in part withdrawals made the same year.
- **19.** Any sum of money not exceeding \$6,000 may be deposited in a bank under the provisions of the Workmen's Compensation Act or any Rules made thereunder.

Workmen's compensation. *G.N. 253/1956.; S.I. 66/1966.*

20. Any sum of money, provided it does not cause the balance of such account to exceed \$6,000, may be deposited in a bank by a workman who has received compensation otherwise than under the provisions of the Workmen's Compensation Act, or any rules made thereunder, for injuries arising out of his employment, or if such workman be dead, any such sum as aforesaid as may have been received may be deposited by the dependant of such workman.

Deposit of compensation by workman. *G.N. 253/1956.; S.I. 66/1966.*

21. Each district postmaster, who is in charge of a branch, shall enter in the daily cash account particulars of the sums withdrawn and deposits made at his branch each day.

Transactions to be entered in cash book

No record of bank transactions beyond that recorded in the cash book and daily account may be kept by a district postmaster.

22. (1) Interest will be allowed on every deposit amounting to \$3 or multiples thereof, at the rate of 2½% per annum or at such other rate as the Minister shall decide.

Interest. G.N. 253/1956.; S.I. 66/1966.

- (2) Interest shall not commence until the first day of the first calendar month next following the day of deposit and shall cease on the first day of the calendar month in which such deposit shall be withdrawn.
- (3) Interest shall be calculated on the 30th day of June of every year, and shall be added to and become part of the principal money.
- (4) Should an account be closed before the 30th day of June interest shall be calculated to the last day of the month preceding the month of closure and be paid with the principal.
- (5) Interest will be allowed on the amount transferred from a savings bank outside The Bahamas from the first day of the month next following the month of the receipt of such amount in The Bahamas.
- (6) Interest will cease on the amount transferred on the last day of the month preceding the month of transfer to a savings bank outside The Bahamas.
- **23.** (1) Any depositor desiring to withdraw the whole or any part of the sum deposited by him must (if in Nassau) notify the Postmaster General of his intention to do so and the amount of the withdrawal.
- (2) If in an Out Island, application for a withdrawal must be made to the district postmaster in the Form E in the Schedule.
- **24.** At the expiration of seven days after such demand, if made in Nassau, the depositor shall be entitled to receive the amount so demanded. If the demand is made in an Out Island he is entitled to receive the amount at the expiration of one month following the date of his demand.

Nothing in this rule shall prevent the Postmaster General from paying the amount demanded in less time than is specified above, should he see fit to do so.

- **25.** Deposits made by a friendly society or by an association are repayable on demand. If the demand is made in an Out Island, repayment will be made as soon as possible.
- **26.** Deposits made on behalf of a friendly society can only be withdrawn upon a requisition signed by the president and treasurer of the said society. In case of

Notice of withdrawal must be given.

Form E. Schedule.

Withdrawals may be made seven days after demand.

Friendly society, etc., may withdraw on demand.

Withdrawals by friendly society, etc., must be accompanied by a requisition. withdrawals to be made on behalf of an association the requisition must be signed by the president and treasurer of such association.

27. When attending to receive the sum demanded by him, the depositor shall produce his deposit book to the Postmaster General or district postmaster who may be paying the sum and the Postmaster General or district postmaster shall enter in the deposit book the amount repaid, attest the entry with his signature, stamp it with the date stamp of his office, and take a receipt from such depositor for the amount so paid.

Deposit book must be produced when withdrawal is made.

28. (1) The receipt of the depositor or person deputed by him shall be taken in a loose leaf book to be kept by the Postmaster General for that purpose. If the payment be made in an Out Island the district postmaster shall forward the loose leaf when signed by the depositor, or person deputed by him to receive the money, to the Postmaster General without delay.

Receipt to be given.

(2) The provisions of the Stamp Act shall not apply to receipts given by depositors for withdrawals.

Ch. 370.

29. (1) If the depositor resides in The Bahamas repayments will be made only to the depositor in person or to the bearer of an order under his hand in the Form F in the Schedule signed in the presence of a minister of religion, justice of the peace or any respectable person known to the Postmaster General or district postmaster.

Order for withdrawals must be signed in the presence of certain persons. Form F. Schedule.

- (2) If a depositor resides out of The Bahamas and wishes to make a withdrawal, an order in the Form F in the Schedule must be signed before a British consular officer or a justice of the peace or notary public of the country in which he resides, and forwarded to the Postmaster General.
- (3) The depositor's deposit book must be presented or sent at the time of payment.
- **30.** Upon any change taking place in the office of president or treasurer of a friendly society or of an association such change shall be notified to the Postmaster General by the persons succeeding to such offices, delivering to the said Postmaster General a certificate signed by them in the effect that they have succeeded to such offices. The certificate must be declared to before a

Postmaster General must be notified of any change in office of president or treasurer. justice of the peace. Whenever any such certificate has been delivered to the Postmaster General the parties named therein shall be deemed to be the persons entitled to withdraw the amount of deposits from such society.

Withdrawals by minors. *G.N.* 200/1955.

- 31. Withdrawals from the account of a minor shall be signed by the father of the minor; if the father is dead the mother shall sign; if both parents are dead, the guardian or person responsible for the support of the minor shall sign withdrawals from the minor's account. However, in the case of
 - (a) an illegitimate minor; or
 - (b) a minor being cared for by a person, other than either one of his or her actual parents,

the person responsible for the support of the minor described in paragraph (a) or (b) is hereby authorized to make withdrawals from an account registered in the name of such minor:

Provided that in any case the Postmaster General shall require proof by affidavit or otherwise that the guardian or person making the withdrawals is indeed the person responsible for the support of the minor.

Withdrawals.

Withdrawals

account must be

made by both parties.

from trust

- **32.** A depositor of the age of thirteen years or over can withdraw any money standing to his credit in his own name, upon his own receipt.
- **33.** Deposits made by a trustee on behalf of another person in the joint names of the trustee and such person cannot be withdrawn without the receipt of both parties during their joint lives.
- **34.** Deposits made by a trustee on behalf of another person in the joint names of the trustee and such other person may be withdrawn upon the receipt of the father, mother or guardian of such person if a minor or a lunatic, together with the receipt of the trustee or if such person is not a minor or a lunatic, then upon his receipt together with the receipt of the trustee.

deposits made by a trustee on behalf of another person.

Withdrawals of

35. In the event of the death or insanity of a trustee of a minor, or should the surviving party of a joint account be a minor, payment may be made in such a case to the father, mother or guardian of such minor.

Payment may be made on death of the trustee of a minor.

36. (1) Except as otherwise provided if any depositor should become insane or otherwise incapable of managing his affairs, and the same shall be proved to the satisfaction of the Attorney-General, and if the Attorney-General shall be satisfied of the urgency of the case, he may authorize payment from time to time out of the deposits of such depositor to any person whom he shall deem proper, and the receipts of such person shall be a good discharge for the same.

Attorney-General may authorize payments if depositor becomes incapable of managing his account or is absent for seven years.

- (2) When a committee or manager has been duly appointed to administer the depositor's estate, nothing in this rule shall authorize payment to any person other than such committee or manager.
- (3) If either of the parties to a trust or joint account should become insane, payment will be made to the party or parties not so incapacitated.
- (4) Where any of the parties to a joint account is proved not to have been heard of for seven years after proper inquiry made by or on behalf of the other party or parties to such account, the Attorney-General may, upon being satisfied as to such inquiry, authorise payment to the other party or parties, as the case may be, and the receipt of such party or parties shall be a valid discharge for same.

S.I. 1/1967.

37. If a depositor is illegitimate and has died intestate the Postmaster General may pay the sum deposited by the deceased to or among his creditors or to or among such persons who in the opinion of the Attorney-General would be entitled thereto if such depositor had been legitimate; failing such persons, the deposits will be dealt with as the Minister may direct.

Disposition of balance due to an illegitimate depositor over sixteen years.

38. If any depositor, the balance of whose account in the bank does not exceed three hundred dollars, dies intestate, such sum shall be payable, without letters of administration, to or among the persons who appear to the Postmaster General, upon such evidence as he may deem satisfactory, to be entitled to receive the same; or, if such sum shall exceed three hundred dollars but shall not exceed one thousand dollars such sums shall be payable in like manner to or among persons who appear to the Attorney-General, upon such evidence as he may deem satisfactory, to be entitled by law to receive the same, and such payment shall be valid and effectual against any demand made upon the Postmaster General by any other person.

Disposition of deposits of intestate. *S.I.* 66/1966.

Proof of death of depositor.

39. Except in a case coming within rule 34, 35, 37 or 38 or accounts of friendly societies, no withdrawal of a deceased depositor's account or any portion thereof shall be permitted without production of letters of probate or administration.

Accounts to be transferred to "Dead and Unclaimed Account" after certain time. S.I. 66/1966.

- **40.** (1) Accounts in respect of which no transactions have taken place for the period specified below will be treated as dead
 - (a) when the balance of account is under \$3., 1 complete year;
 - (b) when the balance of account is under \$10., 3 complete years;
 - (c) when the balance of account is over \$10., 4 complete years,

and the amounts of credit of such account shall be transferred from the credit of the depositors to the credit of an account to be opened in the books of the Department under the head of "Dead and Unclaimed Accounts".

- (2) Nothing in this rule shall prevent the Postmaster General from paying any claim made by any depositor for an amount that has been so transferred upon proof of claim.
- (3) "Transaction" in this rule means not only a deposit or withdrawal but also the presentation of the deposit book for entry of interest and audit.

Deposit books to be forwarded in July for audit. **41.** Every depositor must forward his deposit book to the Postmaster General during the month of July of each year in order that it may be compared with the books of the Department by the Auditor and that the interest due to the previous 30th day of June may be inserted.

No charge for deposit books except in case of loss. *G.N.* 186/1961.; *S.I.* 66/1966.

42. No charge shall be made upon the depositors for the books supplied to them, except in case of loss.

Should any depositor lose his book he must apply by letter to the Postmaster General at Nassau stating the circumstances and enclosing the sum of 29 cents for another book.

Transfer of accounts.

43. The Postmaster General is authorised to enter into arrangements with the post office savings bank of any of the places referred to in paragraph (j) of section 14(2) of the Savings Bank Act for the purpose of transferring any accounts from such savings bank to the bank of The Bahamas and *vice versa*.

44. A depositor may apply to the Postmaster General for the transfer of the balance of his account with the bank to any of the savings banks in any of the places referred to in paragraph (j) of section 14(2) of the Savings Bank Act.

Balance of account may be transferred abroad.

45. An application to transfer the balance of an account with the bank shall be made in duplicate, in the form prescribed by the Postmaster General which can be obtained at any bank. The depositor's book must accompany such application.

Application for transfer to be made in duplicate.

46. The balance of the account to be transferred shall be liable to a deduction to cover the cost of transfer at the current rate of exchange.

Cost of transfer may be deducted.

47. Any person who shall commit or cause or permit to be committed any breach of these Rules shall be liable on summary conviction to a fine of one hundred dollars.

Penalties. 5 of 1987, s. 2.

SCHEDULE

FORM A (Rule 6(1))

DECLARATION BY DEPOSITOR ON MAKING FIRST DEPOSIT

Place
No
DECLARATION BY DEPOSITOR ON MAKING FIRST DEPOSIT
In pursuance of the Savings Bank Act (Ch. 286 — Rev. Ed. 1987)
(Name in full) I
(Residence) of
(Occupation)
do hereby declare to the Postmaster General at Nassau that I am desirous on my own behalf to become a depositor in the Post Office Savings Bank. I do hereby further declare that I am not directly or indirectly entitled to any deposits nor benefit from the funds of this or any other branch of the Post Office Savings Bank, nor to any
or any other branch of the rost office Savings Bank, nor to any

Depositor's Book.

sum or sums standing in the names of any other person or persons in the books of the said Post Office Savings Bank; and I do hereby also testify my consent that my deposits in the said Post Office Savings Bank shall be managed according to the Rules thereof.

Save and except such benefit as I may be entitled to from being a member of a friendly society legally established; or from such sum or sums as may be standing in my name as trustee jointly with the name or names and on behalf of any other depositor or depositors.

Vitness my hand this	day of	19
Signed by the said		
depositor in the		
presence of me,		

Every depositor on making a first deposit shall be required to specify his Christian name and surname, occupation and residence to the officer of the Postmaster General appointed to receive the deposit and make and sign the statutory declaration, to be witnessed by the officer of the Postmaster appointed to receive deposits or by some person known to him, or by a minister of the gospel, or by a justice of the peace; and if such declaration, or any part thereof, shall not be true, the depositor making the same shall forfeit and lose all right and title to his deposits.

On making the declaration, and in all cases in which the signature of the depositor is required, if the depositor cannot write, his mark must be affixed in the presence of a witness, and attested by the signature of that witness.

FORM B (Rule 6(2))

DECLARATION BY THE TRUSTEE OF A DEPOSITOR
Depositor's Book.
Place
No
(Name in full) I
(Residence) of
(Occupation)
do hereby declare to the Postmaster General that I am desirous of becoming a depositor in the Post Office Savings Bank, as trustee of
(Name in full)
(Residence) of
(Occupation)
and I do further declare on behalf of myself, and also on behalf of

Save and except such benefit as I or he may be entitled to being a member of a friendly society legally established, or from such sum or sums as may be standing in my name as a depositor, on my own account, or as trustee jointly with the name or names, and on behalf of any other depositor or depositors.

Witness my hand this	day of 19
Signed by the	
said	
trustee in the	
presence of me,	

If the person in trust for whom the account is opened be under thirteen years of age, the date on which he will attain that age is to be stated here.

Deposits may be made by a trustee on behalf of another person, in the joint names of such trustee and the person on whose account such money shall be so deposited; but repayment of the same, or any part thereof, shall not be made without the receipts of both the said parties, or the survivor or survivors; or the executors or administrators of such survivor, whose receipt and receipts either personally or by agent appointed by Power of Attorney, which Power of Attorney may be executed by an infant of or exceeding the age of fourteen years, shall alone be a valid discharge, except in case of insanity or imbecility of the party on whose behalf the deposits were made, when the Postmaster may, on proof of the fact to his satisfaction, allow repayment to be made to the trustee alone.

Every depositor on making a first deposit shall be required to specify his Christian name and surname, occupation, and residence to the officer of the Postmaster General appointed to receive the deposit, and make and sign the statutory declaration, to be witnessed by the officer of the Postmaster General appointed to receive deposits, or by some person known to him, or by the minister or a church-warden of the parish in which the depositor resides, or by a justice of the peace; and if such declaration, or any part thereof, shall not be true, the depositor making the same shall forfeit and lose all right and title to his deposits.

On making the declaration, and in all cases in which the signature of the depositor is required, if the depositor cannot write, his mark must be affixed in the presence of a witness, and attested by the signature of that witness.

FORM C (Rule 10)

ACKNOWLEDGEMENT OF DEPOSIT

Depositor's Book		
	Savings Banl	k Department,
		ost Office,
No		u N.P.
		. 19
The District Postmaster		
having reported to the Postn	naster General the	
	Dollars :	Cents
	:	
	:	
received by him on the	19 of you	ur deposit of
that amount has account in the books of this		eait of your
Ent. & Exd.	Department.	

Postmaster General.		
N.B. Should any alterat	non or erasure appear t	o have been
made in this acknowledger any particular, it should be		
Savings Bank Department, I	Post Office Nassau Bal	hamas
NOTICE: This acknowl		
person but the depositor to v	whom it is addressed	LOL to any
person our une unpession to	, 110111 10 10 0001 00000.	
FOR	M D (Rule 13)	
POST OFFICE SAVI	NGS BANK DECLAR	ATION
	mes of two or more pers	
Book No.	•	50113)
Surname (block letters)		
Christian names (in full)		
Address		
Occupation		
	a female state whether	
Surname (block letters)		
Christian names (in full)		
Address		
Occupation		
	a female state whether	
Particulars of other Post Of either depositor, including ar trust for either or both. (If no	ny joint accounts and any	y accounts in

Office	: Book No.
	······································
We hereby declare that the abov these are our usual signatures:	e is a true statement and that
	Initials of Date Stamp. Officer
	Opening Account
	from this account must be to. In the event of the death of e payable to the survivor.
FORM E	(Rule 23(2))
NOTICE OF WITHDR.	AWAL BY ONE PERSON
Copy here the name of the office the number printed on the coven Description of deposit book.	ee (or the distinctive letters) and r of the deposit book.
Description of deposit book.	This space is for use in the Chief Office only
Office No	\$ c
	of19
To the Postmaster General, Na I HEREBY GIVE NOTICE	
from the deposit account bearing of the Post Office Savings Bank, issued for the above mention	e sum of \$
Signature of applicant	
Note. — If the applicant affixed against his name in the page the following form, givin	cannot write, his mark must be presence of a witness, who must g address and occupation —

Signature		
	e should be taken to enter the correct particulars,	
	y cause delay in the issue of a warrant.	

If the account is to be closed and the deposit book given up, the sum due according to the book should be stated, and the words "and Interest to close account" written in this space.

This form is of no value as a security for money.

S.I. 66/1966.

FORM F (Rule 29(1) and (2))

DISTRICT POST OFFICE

Name of depositor		No
No. of book		
Received this		
From the district postmast	er of	
the sum of	dollars	cents
being a withdrawal from m	ny Post Office Savin	gs Bank Account.
Depo	ositor's signature	
Wi	itness to signature	
\$¢		