**Section 760.10 Definitions**

"Act" – means the Uniform Disposition of Unclaimed Property Act [765 ILCS 1025] and the rules in this Part.

"Active Express Trust" – excludes any trust:

the purpose for which it was created no longer exists and no court having jurisdiction shall have entered an order in connection therewith; or

of which no beneficiary can be located to whom income or increment from such trust is payable or distributable. Intangible personal property held for the benefit of a person, firm or entity not designated as beneficiary pursuant to the terms of said trust shall not be deemed to be held in a fiduciary capacity by said trustee.

"Activity" – occurs when the owner takes any action described in Section 2 of the Act which prevents a presumption of abandonment.

Activity in any account on a consolidated statement shall constitute activity for any other account on that statement.

Non return of mail shall constitute activity only if the holder sends a notice to the owner, return receipt requested, and has on file the signed return receipt.

"Additional like period" as used in Section 2(e) of the Act, except where the original deposit instrument agreed to by the parties contains a fixed final maturity date, means, where the right to extend is exercised by the organization, one extension or rollover with the date of the expiration of the extension or rollover period becoming the final maturity date for the deposit.

"A Matured Time Deposit", except as provided for in Section 2(e) of the Act, is any time deposit, certificate of deposit, money market certificate or like instrument on which the initial term has expired.

"Commodities" – means a basic item or staple product underlying commodity future contracts, or traded as physical units of delivery for immediate delivery in the cash or spot market.

"Delivery Date" as used in Section 760.89(a)(2) means the date when a report would be deemed received and filed by the Department.

"Deposit" as used in Section 2 of the Act includes all accounts of an individual owner which are reported by the banking or financial institution to the owner on a consolidated statement.

"Last Activity Date" means, for other than property reported in the aggregate under Section 11(b)(1) of the Act, the last verifiable date of owner contact with the property being remitted to the State Treasurer. In the alternative, where the holder's records are insufficient, it is the earliest date in the holder's records for which property can be identified minus 12 months.

"Net Worth" means the difference between total assets and total liabilities.

"Property" – means any property, tangible or intangible, reportable to the State Treasurer pursuant to the Act. Property which would be reportable prior to deduction of service charges is deemed reportable under this definition.

"Safe Deposit Box" – includes any safe, vault, safekeeping repository, agency, or collateral deposit box.

"Security" – means any note, stock, treasury stock, bond, debenture, evidence of indebtedness, certificate of interest or participation in any profit-sharing agreement, collateral-trust certificate, preorganization certificate or subscription, transferable share, investment contract, investment fund share, face-amount certificate, voting-trust certificate, certificate of deposit for a security, fractional undivided interest in oil, gas or other mineral lease, right or royalty, any put, call, straddle, option, or privilege entered into on a national securities exchange relating to foreign currency, or, in general, any interest or instrument commonly known as a "security", or any certificate of interest or participation in, temporary or interim certificate for, receipt for, guarantee of, or warrant or right to subscribe to or purchase, any of the foregoing.

"Service Charges" – constitute any charge deducted by a holder from property subject to the Act, which is imposed solely by virtue of the inactivity of that property; this includes service charges, handling charges, and administrative costs.

(Source: Amended at 18 Ill. Reg. 18001, effective December 12, 1994)