

## SCHEDULE 1

Article 2

### CONSEQUENTIAL AMENDMENTS OF SUBORDINATE LEGISLATION

#### *Rules of the Supreme Court (Revision) 1965*

1. In the Rules of the Supreme Court (Revision) 1965(1), in—
  - (a) Order 92, rule 3A, and
  - (b) Order 93, rule 23(4),for “Bank of England” there is substituted “Financial Services Authority”.

#### *Restrictive Trade Practices (Services) Order 1976*

2. In the Restrictive Trade Practices (Services) Order 1976(2), after paragraph 6 of the Schedule, there is inserted—
  - “6A. An agreement to which the Financial Services Authority is a party and which relates exclusively to the exercise of control by the Authority over financial institutions pursuant to the transfer of functions by Part III of the Bank of England Act 1998.”.

#### *Rules of the Supreme Court (Northern Ireland) 1980*

3. In the Rules of the Supreme Court (Northern Ireland) 1980(3), in—
  - (a) Order 92, rule 3A, and
  - (b) Order 93, rule 8(4),for “Bank of England” there is substituted “Financial Services Authority”.

#### *Insolvency Rules 1986*

- 4.—(1) The Insolvency Rules 1986(4) are amended as follows.
  - (2) In rule 4.1(1)(b), for “Bank of England” there is substituted “the Financial Services Authority”.
  - (3) In rule 4.7(4)(e)—
    - (a) for “Bank of England” there is substituted “Financial Services Authority”, and
    - (b) for “Bank” there is substituted “Authority”.
  - (4) In rule 4.10(4), for “Bank of England”, in both places, there is substituted “Financial Services Authority”.
  - (5) In rule 4.72—
    - (a) in paragraph (2), for “Bank of England” there is substituted “Financial Services Authority”, and
    - (b) in paragraphs (3), (4), (5) and (6), for “Bank” there is substituted “Authority”.

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(1) S.I.1965/1776; relevant amending instrument is S.I. 1988/298.

(2) S.I. 1976/98, to which there are amendments not relevant to this Order.

(3) S.R. (NI) 1980 No. 346; relevant amending instrument is S.R. (NI) 1992 No. 399.

(4) S.I. 1986/1925; relevant amending instrument is S.I. 1987/1919.

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*Banking Appeal Tribunal Regulations 1987*

5.—(1) The Banking Appeal Tribunal Regulations 1987(5) are amended as follows.

(2) In regulation 2(1)—

- (a) in the definition of “appellant”, for “Bank” there is substituted “Authority”, and
- (b) for the definition of “the Bank” there is substituted—

““the Authority” means the Financial Services Authority;”.

(3) In regulation 20(1)(c), for the words from “the Bank” to the end there is substituted “the Authority, to the Director, Banking, The Financial Services Authority, Gavrelle House, 2–14 Bunhill Row, London EC1Y 8RA;”.

(4) In the other provisions of the Regulations, for “Bank”, wherever occurring, there is substituted “Authority”.

*Banking Appeal Tribunal (Scottish Appeals) Regulations 1987*

6.—(1) The Banking Appeal Tribunal (Scottish Appeals) Regulations 1987(6) are amended as follows.

(2) In regulation 2(1)—

- (a) in the definition of “appellant”, for “Bank” there is substituted “Authority”, and
- (b) for the definition of “the Bank” there is substituted—

““the Authority” means the Financial Services Authority;”.

(3) In regulation 20(1)(c), for the words from “the Bank” to the end there is substituted “the Authority, to the Director, Banking, The Financial Services Authority, Gavrelle House, 2–14 Bunhill Row, London EC1Y 8RA;”.

(4) In the other provisions of the Regulations, for “Bank”, wherever occurring, there is substituted “Authority”.

*Data Protection (Regulation of Financial Services etc.) (Subject Access Exemption) Order 1987*

7. In the Data Protection (Regulation of Financial Services etc.) (Subject Access Exemption) Order 1987(7), in column 2 of Schedule 1, in—

- (a) the 27th description of functions conferred by the Insolvency Act 1986(8),
- (b) the sixth description of functions conferred by the Financial Services Act 1986(9),
- (c) the first three descriptions of functions conferred by the Banking Act 1987(10), and
- (d) the description of functions conferred by the Banking Coordination (Second Council Directive) Regulations 1992(11),

for “Bank of England” there is substituted “Financial Services Authority”.

(5) S.I. 1987/1299; relevant amending instrument is S.I. 1993/982.

(6) S.I. 1987/1336; relevant amending instrument is S.I. 1993/1061.

(7) S.I. 1987/1905; relevant amending instrument is S.I. 1992/3218.

(8) 1986 c. 45; section 422 was amended by the Banking Act 1987 (c. 22), Schedule 6, paragraph 25(2) and the Bank of England Act 1998 (c. 11), Schedule 5, paragraph 37.

(9) 1986 c. 60; section 43 was modified by S.I. 1990/696 and 1992/3218 and amended by the Bank of England Act 1998 (c. 11), Schedule 5, paragraph 44.

(10) 1987 c. 22; as amended by S.I. 1989/2405 (NI 19), 1992/3179, 1992/3218, 1995/1442, 1995/3275, 1996/1669 and the Bank of England Act 1998 (c. 11), Schedule 5, paragraphs 1–20.

(11) S.I. 1992/3218; relevant amendments were made by S.I. 1993/1819, 1993/3225, 1995/1217, 1995/1442, 1995/3275, 1996/1669 and the Bank of England Act 1998 (c. 11), Schedule 5, paragraphs 21–35.

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*Building Societies (Supplementary Capital) Order 1988*

**8.**—(1) The Building Societies (Supplementary Capital) Order 1988(**12**) is amended as follows.

(2) In Part II of the Schedule, in—

(a) paragraph 2(2)(d)(i), and

(b) paragraph 2(3)(b),

for “Bank of England” there is substituted “Financial Services Authority”.

(3) In paragraph 4 of Part III of the Schedule, in paragraph (b) of the definition of “supervisory authority”, for “Bank of England” there is substituted “Financial Services Authority”.

*Banks (Administration Proceedings) Order 1989*

**9.** In the Banks (Administration Proceedings) Order 1989(**13**), for “Bank of England”, wherever occurring in the Schedule, there is substituted “Financial Services Authority”.

*Local Authorities (Borrowing) Regulations 1990*

**10.** In the Local Authorities (Borrowing) Regulations 1990(**14**), in regulation 7(9)(e), for “Bank of England” there is substituted “Financial Services Authority”.

*Building Societies (Designated Capital Resources)  
(Permanent Interest Bearing Shares) Order 1991*

**11.** In the Building Societies (Designated Capital Resources) (Permanent Interest Bearing Shares) Order 1991(**15**), in sub-paragraph (a) of the definition of “subordinated debt” in article 2(1), for “Bank of England” there is substituted “Financial Services Authority”.

*Building Societies (Liquid Asset) Regulations 1991*

**12.** In the Building Societies (Liquid Asset) Regulations 1991(**16**), in Part III of the Schedule—

(a) in paragraph (a) of the definition of “gilt-edged market maker”, for “Bank of England”, where it occurs for the first time, there is substituted “Financial Services Authority”, and

(b) in the definition of “Stock Exchange money broker”, for “Bank of England” there is substituted “Financial Services Authority”.

*Money Laundering Regulations 1993*

**13.** In the Money Laundering Regulations 1993(**17**)—

(a) in regulation 8(4)(a), for “Bank of England” there is inserted “Financial Services Authority”;

(b) in regulation 15(2), after sub-paragraph (a) there is inserted:

“(aa) the Financial Services Authority;”.

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(12) S.I. 1988/777, to which there are amendments not relevant to this Order.

(13) S.I. 1989/1276.

(14) S.I. 1990/767; relevant amending instrument is S.I. 1991/551.

(15) S.I. 1991/702; the definition of “subordinated debt” was modified by S.I. 1994/749.

(16) S.I. 1991/2580, to which there are amendments not relevant to this Order.

(17) S.I. 1993/1933.

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*Accountants (Banking Act 1987) Regulations 1994*

- 14.**—(1) The Accountants (Banking Act 1987) Regulations 1994(**18**) are amended as follows.
- (2) In regulation 2, for the definition of “the Bank” there is substituted—
- ““the Authority” means the Financial Services Authority;”.
- (3) In regulation 3—
- (a) in paragraph (1), for “Bank” there is substituted “Authority”, and
- (b) in paragraph (2)(b), for “Bank's” there is substituted “Authority's”.

*Building Societies (Undated Subordinated Debt) Order 1994*

- 15.** In the Building Societies (Undated Subordinated Debt) Order 1994(**19**), in—
- (a) the definition of “supervisory authority” in article 2, and
- (b) paragraph 3(1)(d)(i) and (2)(b) of Schedule 2,
- for “Bank of England” there is substituted “Financial Services Authority”.

*Drug Trafficking Offences Act 1986 (Crown Servants and Regulators etc.) Regulations 1994*

- 16.** In the Drug Trafficking Offences Act 1986 (Crown Servants and Regulators etc.) Regulations 1994(**20**), in regulation 4(1), after sub-paragraph (a) there is inserted—
- “(aa) the Financial Services Authority;”.

*Prevention of Terrorism (Temporary Provisions) Act 1989  
(Crown Servants and Regulators etc.) Regulations 1994*

- 17.** In the Prevention of Terrorism (Temporary Provisions) Act 1989 (Crown Servants and Regulators etc.) Regulations 1994(**21**), in regulation 4(1), after sub-paragraph (a) there is inserted—
- “(aa) the Financial Services Authority;”.

*Northern Ireland (Emergency Provisions) Act 1991  
(Crown Servants and Regulators etc.) Regulations 1994*

- 18.** In the Northern Ireland (Emergency Provisions) Act 1991 (Crown Servants and Regulators etc.) Regulations 1994(**22**), in regulation 4(1), after sub-paragraph (a) there is inserted—
- “(aa) the Financial Services Authority;”.

*Credit Institutions (Protection of Depositors) Regulations 1995*

- 19.**—(1) The Credit Institutions (Protection of Depositors) Regulations 1995(**23**) are amended as follows.
- (2) In regulation 2(1), for the definition of “the Bank” there is substituted—

(18) S.I. [1994/524](#); regulations 2 and 3 were modified by S.I. [1996/1669](#).

(19) S.I. [1994/749](#).

(20) S.I. [1994/1757](#); authority changed as a result of the consolidation of certain enactments relating to drug trafficking in the Drug Trafficking Act 1994 (c. 37).

(21) S.I. [1994/1758](#).

(22) S.I. [1994/1760](#).

(23) S.I. [1995/1442](#).

““the Authority” means the Financial Services Authority;”.

(3) In the following regulations, for “Bank”, wherever occurring, there is substituted “Authority”—

- (a) regulation 3(5)(b) and (6)(a),
- (b) regulation 9(2) and (3),
- (c) regulation 17(4)(a),
- (d) regulation 19(3)(b) and (4)(a),
- (e) regulation 46(9)(a), and
- (f) regulation 49(3).

*Financial Markets and Insolvency (Money Markets) Regulations 1995*

**20.**—(1) The Financial Markets and Insolvency (Money Markets) Regulations 1995(**24**) are amended as follows.

(2) In the definition of “the list” in regulation 2, for “Bank of England” there is substituted “Financial Services Authority”.

(3) In the following regulations, for “Bank of England”, wherever occurring, there is substituted “Financial Services Authority”—

- (a) regulation 7(a) and (b),
- (b) regulation 8(c) and (d),
- (c) regulation 9(a),
- (d) regulation 10(a),
- (e) regulation 11(a),
- (f) regulation 12(a),
- (g) regulation 13(b),
- (h) regulation 14(a),
- (i) regulation 15,
- (j) regulation 16(a) and (b),
- (k) regulation 17(b), (c) and (d),
- (l) regulation 18(a),
- (m) regulation 19(2)(a), and
- (n) regulation 28(a).

(4) In regulation 27, for “Bank of England”, wherever occurring, there is substituted “Financial Services Authority” and for “Bank”, wherever occurring, there is substituted “Authority”.

(5) Regulation 29 shall continue to have effect only—

- (a) in relation to things done or omitted before the day on which this Order comes into force, and
- (b) in relation to anything done on or after that day for the purposes of, or in connection with, any proceedings arising from anything done or omitted before that day.

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(24) S.I. 1995/2049.

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*Financial Institutions (Prudential Supervision) Regulations 1996*

**21.**—(1) The Financial Institutions (Prudential Supervision) Regulations 1996~~(25)~~ are amended as follows.

(2) In regulation 1(3)—

(a) for the definition of “the Bank” there is substituted—

““the Authority” means the Financial Services Authority (formerly known as the Securities and Investments Board);”, and

(b) in the definition of “the Board”, at the end there is inserted “(now known as the Financial Services Authority)”.

(3) In regulation 9(3), for “Bank”, wherever occurring, there is substituted “Authority”.

(4) In paragraph 1(2)(b) of Schedule 4, for “Bank”, there is substituted “Authority”.