

SCHEDULE 2

Amendments to primary and secondary legislation

PART 2

Amendments to other primary legislation

35. In paragraph 23 of Schedule 2 to the Building Societies Act 1986 ^{M1}—

- (a) in sub-paragraph (1), after “paragraphs 5(3), 7(4) and 8(4) above” insert “ and sub-paragraph (5A) below ”;
- (b) after sub-paragraph (5) insert—

“(5A) If the rules of the society so provide, a member who is also an employee of the building society shall not be entitled to exercise, directly or indirectly, any voting rights that the member may have with respect to a relevant resolution.

(5B) For the purposes of sub-paragraph (5a), a relevant resolution is a resolution to approve an increase in the maximum ratio between the fixed and variable components of remuneration as permitted by Article 94(1)(g)(i) of the capital requirements directive (whereby the level of the variable component may be set at up to 200% of the level of the fixed component), where the member referred to would be directly affected by the increase.

(5C) In sub-paragraph (5B) the “capital requirements directive” means Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive [2002/87/EC](#) and repealing Directives [2006/48/EC](#) and [2006/49/EC](#).”.

Marginal Citations

M1 [Paragraph 23](#) was amended by the Building Societies Act [1997 c.32](#), SI 2003/404 and SI 2011/593.

Changes to legislation:

The Capital Requirements Regulations 2013, Paragraph 35 is up to date with all changes known to be in force on or before 16 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Regulations revoked by [2023 c. 29 Sch. 1 Pt. 2](#)