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STATUTORY INSTRUMENTS

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**2014 No. 3348**

**The Bank Recovery and Resolution (No. 2) Order 2014**

**PART 9**

**Minimum requirement for own funds and eligible liabilities**

**CHAPTER 2**

**Determination of minimum consolidated requirement  
where the PRA or FCA is the consolidating supervisor**

**References to EBA: determination of minimum consolidated requirement**

**128.**—(1) Where, before the end of the four month period, another resolution authority has referred to EBA in accordance with Article 19 of the EBA Regulation any matter relating to the prospective determination of the minimum consolidated requirement, the Bank must—

- (a) defer the determination for one month beginning with the date on which the four month period ends; and
- (b) ensure that the requirement determined is not less than the requirement specified in any decision taken by EBA before the end of that month under Article 19.3 of the EBA Regulation.

(2) For the purposes of a reference to EBA of a matter to which this article refers the four month period is deemed to be the conciliation phase referred to in Article 19.2 of the EBA Regulation.