



# Bank of England and Financial Services Act 2016

## CHAPTER 14

### BANK OF ENGLAND AND FINANCIAL SERVICES ACT 2016

#### PART 1

##### THE BANK OF ENGLAND

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- 1 Membership of court of directors
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- 8 Monetary Policy Committee: procedure

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- 29 Illegal money lending

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- 30 Money laundering

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- 31 Transformer vehicles

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- 32 Pensions guidance  
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34 Independent advice on conversions and transfers of pension benefits: appointed representatives  
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- 37 Financial Services and Markets Act 2000 (Consequential Amendments and Repeals) Order 2001

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- 38 Banks authorised to issue banknotes in Scotland and Northern Ireland

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**SCHEDULES**

SCHEDULE 1 — Prudential Regulation Committee

SCHEDULE 2 — Amendments relating to Part 1

PART 1 — BANK OF ENGLAND ACT 1998

- 1 The Bank of England Act 1998 is amended as follows....  
2 In section 2 (functions of court of directors), for subsection...  
3 In section 2A(2) (financial stability objective) for “, the Financial...  
4 (1) Section 3A (oversight functions) is amended as follows.  
5 (1) Section 3C (reviews) is amended as follows.  
6 In section 3D(1) (publication of reports of performance reviews) for...  
7 In section 3E(2) (recommendations resulting from review) for  
“Oversight Committee”...  
8 (1) Section 3F (oversight: further provisions) is amended as follows....  
9 (1) Section 4 (annual report by the Bank) is amended...  
10 Omit section 7A(9)(a) (definition of “qualifying company”).  
11 In section 9B(4) (Financial Policy Committee) for “Oversight  
Committee” substitute...  
12 In section 9O (FPC recommendations within the Bank), after  
subsection...  
13 (1) Section 9Y (directions requiring information or documents) is  
amended...  
14 (1) Section 9Z (further provisions about directions under section 9Y)...  
15 In section 14 (publications of statements about decisions)—  
16 (1) Section 16 (functions of Oversight Committee) is amended as...  
17 In section 18(6) (reports) after “as soon as” insert “reasonably”....  
18 In section 40(2) (orders) after “under—” insert— section 1A(1), ....  
19 (1) Schedule 1 (court of directors) is amended as follows....  
20 (1) Schedule 2A (Financial Policy Committee) is amended as follows....  
21 (1) Schedule 3 (Monetary Policy Committee) is amended as follows....  
22 (1) Schedule 7 (restriction on disclosure of information) is amended...

PART 2 — OTHER ACTS

- 23 Bank of England Act 1946 (c. 27)

- 24 House of Commons Disqualification Act 1975 (c. 24)
- 25 Northern Ireland Assembly Disqualification Act 1975 (c. 25)
- 26 Financial Services and Markets Act 2000 (c. 8)
- 27 Omit section 2O (independent reviews of PRA).
- 28 Omit section 2P (right to obtain documents etc for purposes...
- 29 In section 3C (duty to follow principles of good governance),...
- 30 (1) Section 3Q (co-operation by FCA and PRA with Bank...
- 31 In section 3R(2) (arrangements for provision of services by and...
- 32 After section 3S insert— Interpretation Interpretation In this Part  
“enactment” includes— (a) an enactment contained in...
- 33 (1) Section 137J (rules about recovery plans) is amended as...
- 34 (1) Section 137K (rules about resolution packs) is amended as...
- 35 (1) Section 138F (notification of rules) is amended as follows...
- 36 (1) Section 165 (regulators’ power to require information: authorised  
persons...
- 37 (1) Section 165A (PRA’s power to require information: financial  
stability)...
- 38 In section 187A(5A) (assessment: consultation by PRA with FCA) for...
- 39 (1) Section 189 (assessment procedure) is amended as follows.
- 40 In section 190(1A) (requests for further information), after “189(1A)”  
insert...
- 41 In section 192F(3) (consultation between regulators)— (a) for “either  
regulator”...
- 42 In section 192I(1)(a) (statement of policy relating to directions) after...
- 43 In section 285A(3)(a) (which introduces Part 1 of Schedule 17A)...
- 44 In section 345A (PRA disciplinary measures) omit subsection (6).
- 45 (1) Section 348 (restrictions on disclosure of confidential information)  
is...
- 46 (1) Section 353A (restriction on disclosing information received from  
Bank)...
- 47 In section 354B(2) (PRA’s duty to co-operate) for the words...
- 48 Omit section 354C (PRA’s general duty to provide information to...
- 49 In section 417(1) (definitions) after the definition of “authorised  
person”...
- 50 (1) Schedule 1ZB (Prudential Regulation Authority) is amended as  
follows....
- 51 (1) Schedule 17A (exercise of Part 18 functions by Bank...
- 52 Banking Act 2009 (c. 1)
- 53 In section 83ZZ (co-operation)— (a) at the end of paragraph...
- 54 (1) Section 83Z1 (delegation of enforcement functions) is amended as...
- 55 In section 89L(2)(c)(i) (application of section 348 of Financial  
Services...
- 56 (1) Section 96 (ground for applying for bank insolvency order)...
- 57 (1) Section 108 (removal of bank liquidator by court) is...
- 58 In section 117(2)(a) (consents required for making of bank insolvency...
- 59 (1) In section 129A (modifications for banks not regulated by...
- 60 Omit section 204(4)(ba) (Bank may disclose information to PRA).
- 61 Omit section 246(2)(b) (Bank may disclose information to PRA).
- 62 Before section 257 insert— Bank of England” and “Prudential  
Regulation...
- 63 In section 261 (index of defined terms), at the appropriate...
- 64 Financial Services Act 2012 (c. 21)

- 65 In section 85(8) (definition of relevant functions) for “2A(6)” substitute...
- 66 (1) Section 117 (interpretation) is amended as follows.
- 67 Financial Services (Banking Reform) Act 2013 (c. 33)
- 68 Repeals

SCHEDULE 3 — Saving and transitional provision relating to Part 1

- 1 Interpretation
- 2 Saving for orders under section 2A(6)(d) of the Financial Services and Markets Act 2000
- 3 Prudential regulation strategy
- 4 Prudential regulation budget
- 5 Annual report
- 6 Information
- 7 Corporation tax: intangible assets
- 8 Construction of enactments
- 9 Construction of other documents
- 10 Continuity: general provision
- 11 (1) Sub-paragraph (2) applies to anything that—
- 12 There may be continued by or in relation to the...

SCHEDULE 4 — Extension of relevant authorised persons regime to all authorised persons

- 1 Amendments of Financial Services and Markets Act 2000
- 2 (1) Section 59 (approval for particular arrangements) is amended as...
- 3 After section 59ZA insert— Designated senior management functions  
For the purposes of this Part the following are “designated...”
- 4 (1) Section 60 (applications for approval) is amended as follows....
- 5 (1) Section 60A (vetting of candidates by relevant authorised persons)...
- 6 (1) Section 61 (determination of applications) is amended as follows....
- 7 In section 62A(4) (changes in responsibilities of senior managers -...
- 8 In section 63(2A) (authorised person’s duty to review approvals)—
- 9 In the heading of section 63ZA (variation of senior manager’s...
- 10 (1) Section 63ZB (variation of senior manager’s approval on initiative...
- 11 (1) Section 63E (certification of employees by relevant authorised persons)...
- 12 (1) Section 63F (issuing of certificates) is amended as follows....
- 13 (1) Section 64A (rules of conduct) is amended as follows....
- 14 (1) Section 64B (conduct rules) is amended as follows.
- 15 (1) Section 64C (requirement to notify regulator of disciplinary action)...
- 16 (1) Section 66A (misconduct: action by FCA) is amended as...
- 17 (1) Section 66B (misconduct: action by PRA) is amended as...
- 18 Omit section 71A (meaning of “relevant authorised person”).
- 19 (1) Section 347 (record of authorised persons etc) is amended...
- 20 In section 415B(5) (consultation in relation to enforcement action), in...
- 21 In section 429(1)(a) (orders subject to affirmative resolution procedure) omit...
- 22 Consequential amendments of Financial Services (Banking Reform) Act 2013