
DRAFT STATUTORY INSTRUMENTS

2014 No.

**The Banking Act 2009 (Restriction of
Special Bail-in Provision, etc.) Order 2014**

Interpretation

2.—(1) In this Order—

“the Act” means the Banking Act 2009;

“the Bank” means the Bank of England;

“banking institution” means—

(a) a bank⁽¹⁾;

(b) an investment firm⁽²⁾;

(c) a banking group company;

“eligible liabilities” has the meaning given in Article 2.1(71) of directive 2014/59/EU of the European Parliament and of the Council of 15 May 2014 establishing a framework for the recovery and resolution of credit institutions and investment firms⁽³⁾;

“netting arrangements” has the meaning given in section 48P(2) of the Act;

“relevant banking institution” has the meaning given in article 3(2);

“set-off arrangements” has the meaning given in section 48P(2) of the Act;

“title transfer collateral arrangements” has the meaning given in section 48P(2) of the Act;

“transferable securities” has the meaning given in Article 4.1(44) of Directive 2014/65/EU of the European Parliament and of the Council on markets in financial instruments⁽⁴⁾, but does not include securities (within the meaning of section 14 of the Act⁽⁵⁾) issued by the relevant banking institution.

(2) References to sections of the Act include, as the context requires, those sections as applied by section 89A of the Act (application to investment firms)⁽⁶⁾.

(1) Defined in section 2 of the Act.

(2) Defined in section 258A of the Act. Section 258A was inserted by the Financial Services Act 2012 (c.21), section 101.

(3) OJ L 190, 12.6.2014, p.190.

(4) OJ L 173, 12.6.2014, p.349.

(5) Amended by SI 2013/3115.

(6) Section 89A was inserted by the Financial Services Act 2012 (c.21), section 101(1), (5).