



# Criminal Justice Act 1993

## 1993 CHAPTER 36

### PART VI

#### MISCELLANEOUS

#### **70 Penalties under implementation regulations**

- (1) Paragraphs 8(3), 9(2) and 10(3) of Schedule 8 to the Banking Coordination (Second Council Directive) Regulations 1992 shall cease to have effect.
- (2) Regulations under section 2(2) of the European Communities Act 1972 for the purpose of implementing—
  - (a) Article 15 of the Second Banking Co-ordination Directive (which requires the United Kingdom to make provision for the exercise in the United Kingdom by supervisory authorities of other member States of information and inspection powers in relation to institutions authorised by them), or
  - (b) Articles 3, 6 and 7 of the Supervision of Credit Institutions Directive (which make similar provision in relation to the consolidated supervision of credit institutions),may, notwithstanding paragraph 1(1)(d) of Schedule 2 to that Act, create offences punishable in the same way as offences under sections 39, 40 and 41 of the Banking Act 1987.
- (3) In this section—

“the Second Banking Co-ordination Directive” means the Community Council Directive No. [89/646/EEC](#) on the co-ordination of laws, regulations and administrative provisions relating to the taking up and pursuit of the business of credit institutions and amending Directive [77/780/EEC](#); and

“the Supervision of Credit Institutions Directive” means the Community Council Directive No. [92/30/EEC](#) on the supervision of credit institutions on a consolidated basis.
- (4) Subsection (1) shall not affect the punishment for an offence committed before that subsection comes into force.