



# Bank of England Act 1998

## 1998 CHAPTER 11

### PART IV

#### MISCELLANEOUS AND GENERAL

##### *General*

### **38 Offences in relation to supplying information to the Bank.**

- (1) A person who fails without reasonable excuse to comply with any requirement imposed on him under section 17(1) or [<sup>F1</sup>paragraph 9 of Schedule 2ZA] shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.
- (2) If after conviction of an offence under subsection (1) a person continues the failure for which he was convicted, he shall be guilty of a further offence under that subsection and liable on summary conviction to be punished accordingly.
- (3) A person who in purported compliance with a requirement imposed on him under section 17(1) or [<sup>F2</sup>paragraph 9 of Schedule 2ZA] provides information which he knows to be false or misleading in a material particular, or recklessly provides information which is false or misleading in a material particular, shall be guilty of an offence and liable—
  - (a) on conviction on indictment, to imprisonment for a term not exceeding 2 years, or to a fine, or to both, or
  - (b) on summary conviction, to imprisonment for a term not exceeding 3 months, or to a fine not exceeding the statutory maximum, or to both.

#### **Textual Amendments**

- F1** Words in s. 38(1) substituted (1.3.2024) by [Financial Services and Markets Act 2023 \(c. 29\), ss. 71\(3\), 86\(3\); S.I. 2024/250, reg. 2\(c\)](#)

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**Changes to legislation:** *Bank of England Act 1998, Section 38 is up to date with all changes known to be in force on or before 19 July 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. (See end of Document for details) View outstanding changes*

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**F2** Words in s. 38(3) substituted (1.3.2024) by [Financial Services and Markets Act 2023 \(c. 29\), ss. 71\(3\), 86\(3\)](#); S.I. 2024/250, reg. 2(c)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 9Y(4)(a) word omitted by [2016 c. 14 Sch. 2 para. 13\(4\)\(a\)](#)
- s. 9Y(4)(b) omitted by [2016 c. 14 Sch. 2 para. 13\(4\)\(b\)](#)
- s. 41(4) repealed by [2007 c. 29 Sch. 23](#)