

*These notes refer to the Financial Services Act 2012
(c.21) which received Royal Assent on 19 December 2012*

FINANCIAL SERVICES ACT 2012

EXPLANATORY NOTES

COMMENTARY

Part 4 – Collaboration between Treasury and Bank of England, Fca Or Pra

Section 60: Circumstances in which Treasury power of direction exercisable

514. *Section 61* confers a power of direction on the Treasury. *Section 60* sets out preconditions for the exercise of that power. First, *subsection (2)* provides that the power is exercisable by reference to a public funds notification unless the Bank has provided a notification that the risk to which the notification relates has ceased. Second, *subsection (3)* provides that the power is exercisable by reference to the provision by the Treasury or Secretary of State of qualifying financial assistance (as described in *subsection (5)*) which has not been recovered. *Subsection (6)* sets out certain cases in which qualifying financial assistance is to be taken to have been recovered but it is not an exhaustive list and therefore does not address all possible kinds of assistance.