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## SCHEDULES

### SCHEDULE 17

#### AMENDMENTS OF BANKING ACT 2009 RELATED TO PART 2 OF THIS ACT

#### PART 2

##### AMENDMENTS OF PART 2 OF THE ACT

29 Part 2 of the Banking Act 2009 is amended as follows.

##### Commencement Information

**I1** Sch. 17 para. 29 in force at 1.4.2013 by S.I. 2013/423, art. 3, Sch.

30 In section 91 (interpretation: “bank”), for “Part 4” substitute “ Part 4A ”.

##### Commencement Information

**I2** Sch. 17 para. 30 in force at 1.4.2013 by S.I. 2013/423, art. 3, Sch.

31 In section 93 (interpretation: other expressions), for subsection (1) substitute—  
“(1) In this Part—  
(a) “the PRA” means the Prudential Regulation Authority, and  
(b) “the FCA” means the Financial Conduct Authority.”

##### Commencement Information

**I3** Sch. 17 para. 31 in force at 1.4.2013 by S.I. 2013/423, art. 3, Sch.

32 In section 95 (application), in subsection (1)(b), for “FSA” substitute “ PRA ”.

##### Commencement Information

**I4** Sch. 17 para. 32 in force at 1.4.2013 by S.I. 2013/423, art. 3, Sch.

33 In section 96 (grounds for applying), for “FSA”, in each place, substitute “ PRA ”.

##### Commencement Information

**I5** Sch. 17 para. 33 in force at 1.4.2013 by S.I. 2013/423, art. 3, Sch.

34 In section 97 (grounds for making), in subsection (1), for “FSA” substitute “ PRA ”.

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**Commencement Information**

**I6** Sch. 17 para. 34 in force at 1.4.2013 by S.I. 2013/423, art. 3, Sch.

- 35 In section 98 (commencement), in subsection (2), for “FSA”, in both places, substitute “ PRA ”.

**Commencement Information**

**I7** Sch. 17 para. 35 in force at 1.4.2013 by S.I. 2013/423, art. 3, Sch.

- 36 (1) Section 100 (liquidation committee) is amended as follows.
- (2) For subsection (2) substitute—
- “(2) The liquidation committee is to consist initially of—
- (a) two individuals nominated by the Bank of England,
- (b) one individual nominated by the PRA,
- (c) one individual nominated by the FCA, and
- (d) one individual nominated by the FSCS.”
- (3) In subsection (6)(c), for “and the FSA” substitute “ , the PRA and the FCA ”.

**Commencement Information**

**I8** Sch. 17 para. 36 in force at 1.4.2013 by S.I. 2013/423, art. 3, Sch.

- 37 In section 101 (liquidation committee: supplemental), in subsection (7), for “FSA” substitute “ PRA, the FCA ”.

**Commencement Information**

**I9** Sch. 17 para. 37 in force at 1.4.2013 by S.I. 2013/423, art. 3, Sch.

- 38 In section 103 (general powers, duties and effect), in the Table—
- (a) in the entry relating to section 147 of the Insolvency Act 1986, for “FSA” substitute “ PRA ”, and
- (b) in the entry relating to section 241 of that Act, for “FSA” substitute “ PRA ”.

**Commencement Information**

**I10** Sch. 17 para. 38 in force at 1.4.2013 by S.I. 2013/423, art. 3, Sch.

- 39 (1) Section 108 (removal by court) is amended as follows.
- (2) In subsection (1)(b), for “FSA” substitute “ PRA ”.
- (3) In subsection (2)—
- (a) for “FSA” substitute “ PRA ”, and
- (b) after “England” insert “ and the FCA ”.

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(4) In subsection (3), for “FSA” substitute “ PRA and the FCA ”.

**Commencement Information**

**I11** Sch. 17 para. 39 in force at 1.4.2013 by S.I. 2013/423, art. 3, Sch.

40 In section 109 (removal by creditors), in subsection (4) for “and the FSA” substitute “ , the PRA and the FCA ”.

**Commencement Information**

**I12** Sch. 17 para. 40 in force at 1.4.2013 by S.I. 2013/423, art. 3, Sch.

41 In section 113 (company voluntary arrangement), in subsection (2)(b), for sub-paragraph (i) substitute—  
“(i) the PRA,  
(ia) the FCA,”.

**Commencement Information**

**I13** Sch. 17 para. 41 in force at 1.4.2013 by S.I. 2013/423, art. 3, Sch.

42 In section 115 (dissolution), in subsection (2)(b), for sub-paragraph (i) substitute—  
“(i) the PRA,  
(ia) the FCA,”.

**Commencement Information**

**I14** Sch. 17 para. 42 in force at 1.4.2013 by S.I. 2013/423, art. 3, Sch.

43 In section 117 (bank insolvency as alternative order), in subsection (2)(a)—  
(a) for “FSA” substitute “ PRA ”, and  
(b) after “England” insert “ and the FCA ”.

**Commencement Information**

**I15** Sch. 17 para. 43 in force at 1.4.2013 by S.I. 2013/423, art. 3, Sch.

44 (1) Section 120 (notice of preliminary steps) is amended as follows.  
(2) For “FSA”, in each place (including the heading), substitute “ PRA ”.  
(3) In subsection (6), after “filed” insert “ (in Scotland, lodged) ”.  
(4) In subsection (10), in paragraph (a), after “England” insert “ and the FCA ”.

**Commencement Information**

**I16** Sch. 17 para. 44 in force at 1.4.2013 by S.I. 2013/423, art. 3, Sch.

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45 After section 129 insert—

**“129A Banks not regulated by PRA**

(1) In the application of this Part to an FCA-regulated bank the modifications specified in the Table apply.

(2) In this section—

“FCA-regulated bank” means a bank which does not carry on any activity which is a PRA-regulated activity for the purposes of the Financial Services and Markets Act 2000;

“immediate group” has the meaning given by section 421ZA of the Financial Services and Markets Act 2000;

“PRA-authorised person” has the meaning given by section 2B(5) of that Act.

**Commencement Information**

**I17** Sch. 17 para. 45 in force at 1.4.2013 by S.I. 2013/423, art. 3, Sch.

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