
STATUTORY INSTRUMENTS

2016 No. 1239

The Bank Recovery and Resolution Order 2016

PART 2

Amendments of the Banking Act 2009 and related provision

CHAPTER 1

Amendments of the Banking Act 2009

Recovery of expenses

14. After section 48W (reverse transfer), insert—

“Bail-in option: recovery of expenses

48WA.—(1) The Bank of England may, in relation to the exercise of the bail-in option, direct a relevant bank to pay the Bank of England a fee to cover expenses reasonably incurred by the Bank in connection with exercising that option.

(2) The Treasury may direct a relevant bank to pay the Treasury a fee to cover expenses reasonably incurred by the Treasury in connection with the exercise by the Bank of England of the bail-in option in relation to the relevant bank.

(3) For the purposes of this section—

- (a) a “relevant bank” is a bank in relation to which the Bank of England has made—
 - (i) a resolution instrument under section 12A(2),
 - (ii) a supplemental resolution instrument under section 48U(2), or
 - (iii) an instrument containing special bail-in provision under section 48B,
- (b) the exercise of the bail-in option includes making any instrument containing special bail-in provision under section 48B.”.