
STATUTORY INSTRUMENTS

2016 No. 1239

The Bank Recovery and Resolution Order 2016

PART 5

Amendments of secondary legislation

Banking Act 2009 (Restriction of Special Bail-in Provision, etc) Order 2014

39.—(1) The Banking Act 2009 (Restriction of Special Bail-in Provision, etc) Order 2014⁽¹⁾ is amended as follows.

(2) In article 2—

(a) in paragraph (1), in the definition of “banking institution” after sub-paragraph (c) insert—

“(d) a third-country institution (within the meaning of section 89JA of the Act (resolution of UK branches of third-country institutions)).”

(b) in paragraph (2), for “as applied by section 89A of the Act (application to investment firms)(2)” substitute “as applied with or without modifications by that Act, as that Act has effect on the day on which the Bank Recovery and Resolution Order 2016 comes into force.”

(3) In article 6, in paragraph (10)—

(a) at the end of sub-paragraph (a) omit “or”;

(b) after sub-paragraph (b), insert—

“(c) an onward property transfer instrument under section 43(2) of the Act in relation to which the original instrument (as defined in section 43(1)) is a property transfer instrument under section 12(2) of that Act, or

(d) a bridge bank supplemental property transfer instrument under section 44D(2) of the Act.”

⁽¹⁾ [S.I. 2014/3350](#).

⁽²⁾ Section 89A was inserted by section 101 of the Financial Services Act [2012 \(c.21\)](#).