

**Changes to legislation:** The Bank Recovery and Resolution and Miscellaneous Provisions (Amendment) (EU Exit) Regulations 2018, Paragraph 88 is up to date with all changes known to be in force on or before 17 September 2023. 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

## SCHEDULE 3

### Amendments of the Bank Recovery and Resolution (No.2) Order 2014

**88.**—(1) Article 155 (requirement to increase or remove limit on share capital) is amended as follows.

(2) In paragraph (1)(b) for “EEA” substitute “ UK ”.

(3) In paragraph (3) for “action” substitute “ tools and resolution powers ”.

(4) In paragraph (5) for the words from “the amounts” to the end substitute—  
“the following amounts—

(a) the amount by which the Bank has assessed that Common Equity Tier 1 instruments must be reduced and relevant capital instruments must be written down or converted pursuant to section 6B, 12AA, 48Y or 81AA of the Banking Act 2009; and

(b) the aggregate amount assessed by the Bank pursuant to section 6E or 48X of that Act.”.

(5) In paragraph (6) omit the words from “or when” to the end.

#### Commencement Information

**II** Sch. 3 para. 88 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

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**Changes and effects yet to be applied to :**

- Regulations revoked by [2023 c. 29 Sch. 1 Pt. 2](#)