
STATUTORY INSTRUMENTS

2018 No. 1401

**The Capital Requirements (Amendment)
(EU Exit) Regulations 2018**

PART 4

Amendment of retained direct EU legislation

CHAPTER 1

Amendment of the Capital Requirements Regulation

Article 78 (supervisory permission for reducing own funds)

94.—(1) Article 78 (supervisory permission for reducing own funds) is amended as follows.

(2) In paragraph 1(b)—

- (a) for “point (6) of Article 128 of [Directive 2013/36/EU](#)” substitute “regulation 2 of the Capital Requirements (Capital Buffers and Macro-prudential Measures) Regulations 2014”**(1)**;
- (b) for “Article 104(3) of [Directive 2013/36/EU](#)” substitute “regulation 34(1) of the Capital Requirements Regulations 2013”**(2)**.

(3) In paragraph 3, after “applicable national law” insert “of the United Kingdom, or any part of it, or of a third country”.

(1) [S.I. 2014/894](#).
(2) [S.I. 2013/3115](#).