
STATUTORY INSTRUMENTS

2022 No. 838

The Financial Services Act 2021 (Prudential Regulation of Credit Institutions and Investment Firms) (Consequential Amendments and Miscellaneous Provisions) Regulations 2022

PART 2

Amendment of Primary Legislation, Scottish Legislation and Northern Ireland Legislation

Insolvency (Northern Ireland) Order 1989

2.—(1) Schedule 4 to the Insolvency (Northern Ireland) Order 1989⁽¹⁾ (the categories of preferential debts) is amended as follows.

(2) In paragraph 20 (category 8: other deposits)—

(a) in sub-paragraph (a)—

(i) for “non-EEA” substitute “non-UK”;

(ii) for “an EEA state” substitute “the United Kingdom”;

(b) in sub-paragraph (b), for “an EEA” substitute “a UK”.

(3) In paragraph 21 (interpretation for categories 6A, 7 and 8)—

(a) in sub-paragraph (3), for paragraph (b) substitute—

“(b) any micro, small or medium-sized enterprise, as defined with regard to the annual turnover criterion referred to in Article 2(1) of the Annex to Commission Recommendation 2003/361/EC.”;

(b) in sub-paragraph (4), for paragraphs (b) and (c) substitute—

“(b) “non-UK branch” means a branch, as defined in Article 4(1)(17) of the capital requirements regulation, which is established outside the United Kingdom;

(c) “UK branch” means a branch, as so defined, which is established in the United Kingdom.”;

(c) for the words after sub-paragraph (4)(c) substitute—

“and for this purpose “the capital requirements regulation” means [Regulation \(EU\) No. 575/2013](#) of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending [Regulation \(EU\) No. 648/2012](#).”.

⁽¹⁾ [S.I. 1989/2405 \(N.I. 19\)](#); paragraphs 20 and 21 of Schedule 4 were inserted by [S.I. 2014/3486](#) and paragraph 21 was amended by [S.I. 2015/486](#). There are other amendments to this paragraph which are not relevant.