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STATUTORY INSTRUMENTS

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**1992 No. 3218**

**BANKING**

**The Banking Coordination (Second Council Directive) Regulations 1992**

*Made - - - - 16th December 1992*

*Coming into force 1st January 1993*

**THE BANKING COORDINATION (SECOND COUNCIL DIRECTIVE) REGULATIONS 1992**

PART I

GENERAL

1. Citation and commencement
2. Interpretation: general

PART II

RECOGNITION OF EUROPEAN INSTITUTIONS

*Preliminary*

3. European institutions
4. Authorised and permitted activities

*Effect of recognition*

5. Authorisations and licences not required
6. Procedural requirements for carrying on listed activities

*Effect of non-recognition*

7. Prohibition on carrying on certain listed activities

*Functions of Bank*

8. Duty to prepare for supervision
9. Power to prohibit the acceptance of deposits
10. Power to restrict listed activities
11. Limitations on Bank's powers

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12. Prohibition or restriction on information from supervisory authority
13. Obligation of Bank where institution ceases to be a European institution etc.

*Functions of Board*

14. Duty to prepare for supervision
15. Power to prohibit the carrying on of investment business
16. Power to restrict the carrying on of investment business
17. Limitations on Board's powers

*Functions of Director*

18. Power to prohibit the carrying on of Consumer Credit Act business
19. Power to restrict the carrying on of Consumer Credit Act business

PART III

RECOGNITION IN OTHER MEMBER STATES OF UK INSTITUTIONS

*Preliminary*

20. UK institutions etc.
21. Authorised and permitted activities

*Procedural requirements*

22. Procedural requirements for carrying on certain listed activities

*Regulation of UK subsidiaries for recognition purposes*

23. Restriction on activities of UK subsidiaries
24. Restriction on information from supervisory authority

PART IV

AMENDMENTS OF BANKING ACT

*Authorisations*

25. Applications for authorisation
26. Grant and refusal of authorisation
27. Minimum criteria for authorisation
28. Revocation of authorisation
29. Revocation or restriction on information from supervisory authority
30. Notice of revocation, restriction or surrender

*Objections to controllers*

31. Objections to controllers

*Implementation of certain EC decisions*

32. Implementation of certain EC decisions

*Information and investigations*

33. Notification of controllers
34. Notification of acquisition of significant shareholding

35. Prior notification of ceasing to be a relevant controller
36. Information and production of documents
37. Investigations on behalf of the Bank

*Restrictions on disclosure of information*

38. Disclosure for facilitating discharge of functions by the Bank
39. Disclosure for facilitating discharge of functions by other supervisory bodies
40. Other permitted disclosures
41. Information supplied to Bank by relevant overseas authority etc.
42. Disclosure of information obtained under other Acts

*Interpretation*

43. Meaning of “controller” and “associate”
44. Meaning of “related company”
45. Other interpretation of Banking Act

*Miscellaneous*

46. Savings for certain institutions
47. Other amendments of Banking Act

PART V

AMENDMENTS OF FINANCIAL SERVICES ACT

48. Authorisation by membership of recognised self-regulating organisations
49. Applications for authorisation
50. Grant and refusal of authorisation
51. Authorisation in other member State
52. Exempted persons
53. Reciprocal facilities for banking business
54. The Board’s functions under the Regulations
55. Other amendments of Financial Services Act
56. Construction of Part V

PART VI

AMENDMENTS OF CONSUMER CREDIT ACT

57. Effect of standard licence
58. Grant of standard licence
59. Conduct of business
60. The register
61. Enforcement of agreements
62. Restrictions on disclosure of information
63. Power to modify subordinate legislation in relation to European institutions

PART VII

AMENDMENTS OF INSURANCE COMPANIES ACT

64. Withdrawal of authorisation
65. Application of Part II of Act
66. Meaning of “insurance business”

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## PART VIII

### AMENDMENTS OF BUILDING SOCIETIES ACT

#### *Constitution*

- 67. Establishment of building societies
- 68. Initial authorisation to raise funds and borrow money

#### *Powers of control of Commission*

- 69. Power to direct application to renew authorisation
- 70. Imposition of conditions on current authorisation
- 71. Revocation of authorisation
- 72. Reauthorisation
- 73. Criteria for prudent management
- 74. Exercise of powers on information from supervisory authority

#### *Information*

- 75. Power of Commission to obtain information and documents etc.
- 76. Confidentiality of certain information obtained by Commission
- 77. Information disclosed to Commission from other sources

#### *Accounts and audit*

- 78. Accounting records and systems of business control etc.

#### *Miscellaneous and supplemental*

- 79. Service of notices
- 80. Meaning of “associate”
- 81. Other interpretation of Building Societies Act

## PART IX

### SUPPLEMENTAL

- 82. Minor and consequential amendments
- 83. Transitional provisions and savings  
Signature

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#### SCHEDULE 1 — ANNEX TO THE SECOND COUNCIL DIRECTIVE

#### SCHEDULE 2 — REQUIREMENTS AS RESPECTS EUROPEAN INSTITUTIONS

##### *Requirements for carrying on activities etc.*

- 1. (1) In relation to the carrying on of a home-regulated...
- 2. A notice given by an institution to the relevant supervisory...
- 3. (1) A notice given in respect of a European authorised...

##### *Requirements for changing requisite details of branch*

- 4. (1) Subject to sub-paragraph (2) below, the requirements of this...

*Cancellation of compliance with certain requirements*

5. (1) The Bank may, on an application by a European...

SCHEDULE 3 — PROHIBITIONS AND RESTRICTIONS BY THE BANK

*Preliminary*

1. In this Schedule—“prohibition” means a prohibition under regulation 9...

*Notice of prohibition or restriction in non-urgent cases*

2. (1) Subject to paragraph 3 below, where the Bank proposes,...

*Notice of prohibition or restriction in urgent cases*

3. (1) No notice need be given in accordance with paragraph...

*Appeals*

4. (1) Section 27 of the Banking Act (rights of appeal)...

*Statement of principles*

5. (1) The Bank shall, as soon as practicable after the...

SCHEDULE 4 — PROHIBITIONS BY THE BOARD

*Notice of prohibition*

1. (1) Where the Board proposes— (a) to impose a prohibition...

*References to the Financial Services Tribunal*

2. Section 97 of the Financial Services Act (references to the...
3. (1) Section 98 of the Financial Services Act (decisions on...
4. (1) Subsection (2) of section 100 of the Financial Services...

SCHEDULE 5 — PROHIBITIONS AND RESTRICTIONS BY THE DIRECTOR

*Preliminary*

1. In this Schedule—“appeal period” has the same meaning as...

*Notice of prohibition or restriction*

2. (1) This paragraph applies where the Director proposes, in relation...

*Application to revoke prohibition or restriction*

3. (1) This paragraph applies where the Director proposes to refuse...

*Representations to Director*

4. (1) Where this paragraph applies to an invitation by the...

*Appeals*

5. Section 41 of the Consumer Credit Act (appeals to the...

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## SCHEDULE 6 — REQUIREMENTS AS RESPECTS UK INSTITUTIONS

### *Requirements for carrying on activities etc.*

1. (1) In relation to the carrying on of a home-regulated...
2. A notice given by an institution to the UK authority...
3. (1) The notice which, subject to paragraph 4 below, the...
4. (1) Where the institution's notice under paragraph 2 above states...

### *Requirements for changing requisite details of branch*

5. (1) Subject to sub-paragraph (2) below, the requirements of this...
6. (1) The UK authority shall, within the period of one...

### *Cancellation of compliance with certain requirements*

7. (1) The UK authority may, on an application by a...

### *Appeals*

8. (1) Section 27 of the Banking Act (rights of appeal)...
9. (1) Section 46 of the Building Societies Act (rights of...

## SCHEDULE 7 — RESTRICTIONS BY THE UK AUTHORITY

### *Preliminary*

1. In this Schedule “restriction” means a restriction under regulation 23...

### *Notice of restriction in non-urgent cases*

2. (1) Subject to paragraph 3 below, where the UK authority...

### *Notice of restriction in urgent cases*

3. (1) No notice need be given in accordance with paragraph...

### *Appeals*

4. Section 27 of the Banking Act (rights of appeal) shall...
5. (1) Section 46 of the Building Societies Act (rights of...

### *Statement of principles*

6. (1) The Bank shall, as soon as practicable after the...

## SCHEDULE 8 — AMENDMENTS OF BANKING ACT

### *Preliminary*

1. In this Schedule— “the Act” means the Banking Act; “former...

### *The Bank and the Board of Banking Supervision*

2. Section 1 of the Act (functions and duties of the...
3. Section 2 of the Act (the Board of Banking Supervision)...

*Meaning of “deposit”*

4. Section 5 of the Act (meaning of “deposit”) shall have...

*Authorisations*

5. (1) Section 17 of the Act (information as to authorised...
6. (1) Section 18 of the Act (false statements as to...

*Invitations to make deposits*

7. Section 33 of the Act (advertisement directions) shall have effect...

*Information*

8. (1) Section 39 of the Act (power to obtain information...
9. (1) Section 40 of the Act (right of entry to...

*Investigations*

10. (1) Section 41 of the Act (investigations on behalf of...

*Accounts and auditors*

11. Section 45 of the Act (audited accounts to be open...
12. Section 47 of the Act (communications by auditor etc. with...

*The deposit protection scheme*

13. Section 50 of the Act (the Deposit Protection Board) shall...
14. (1) Subject to sub-paragraph (2) below, section 52 of the...
15. Section 58 of the Act (compensation payments to depositors) shall...
16. Section 60 of the Act (protected deposits) shall have effect...

*Banking names and descriptions*

17. Section 68 of the Act (exemptions from section 67) shall...
18. Section 69 of the Act (restriction on use of banking...
19. (1) Section 70 of the Act (power to object to...
20. Section 71 of the Act (effect of notices under section...

*Overseas institutions*

21. Section 74 of the Act (meaning of “overseas institution” and...

*Disclosure of information*

22. Section 82 of the Act (restrictions on disclosure) shall have...
23. Section 83 of the Act (disclosure for facilitating discharge of...
24. Section 84 of the Act (disclosure for facilitating discharge of...
25. Section 86 of the Act (information supplied to Bank by...
26. Section 87 of the Act (disclosure of information obtained under...

*Miscellaneous and supplementary*

27. Section 93 of the Act (injunctions) shall have effect as...
28. Section 94 of the Act (false and misleading information) of...
29. Section 95 of the Act (restriction of Rehabilitation of Offenders...

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30. Section 99 of the Act (service of notices on Bank)...
31. Section 100 of the Act (service of other notices) shall...
32. (1) Section 101 of the Act (evidence) shall have effect...
33. Section 106 of the Act (interpretation) shall have effect as...

## SCHEDULE 9 — AMENDMENTS OF FINANCIAL SERVICES ACT

### *Preliminary*

1. In this Schedule—“the Act” means the Financial Services Act;...

### *Restriction on carrying on business*

2. Section 5 of the Act (agreements made by or through...

### *Authorised persons*

3. Section 10 of the Act (grant and refusal of recognition...
4. Section 13 of the Act (alteration of rules of recognised...
5. Section 28 of the Act (withdrawal and suspension of authorisation)...
6. Section 32 of the Act (notice of commencement of business)...

### *Exempted persons*

7. Section 44 of the Act (appointed representatives) shall have effect...
8. Section 45 of the Act (miscellaneous exemptions) shall have effect...

### *Conduct of business*

9. (1) Section 47A of the Act (statements of principle) shall...
10. (1) Section 48 of the Act (conduct of business rules)...
11. (1) Section 49 of the Act (financial resources rules) shall...
12. (1) Section 51 of the Act (cancellation rules) shall have...
13. (1) Section 52 of the Act (notification regulations) shall have...
14. Section 53 of the Act (indemnity rules) shall have effect...
15. Section 54 of the Act (compensation fund) shall have effect...
16. Section 55 of the Act (clients' money) shall have effect...
17. Section 57 of the Act (restrictions on advertising) shall have...
18. Section 59 of the Act (employment of prohibited persons) shall...
19. Section 60 of the Act (public statement as to person's...
20. Section 64 of the Act (scope of powers of intervention)...
21. Section 65 of the Act (restriction of business) shall have...
22. Section 66 of the Act (restriction on dealing with assets)...
23. Section 67 of the Act (vesting of assets in trustee)...

### *Collective investment schemes*

24. Section 75 of the Act (collective investment schemes: interpretation) shall...
25. Section 76 of the Act (restrictions on promotion) shall have...
26. Section 93 of the Act (applications to the court) shall...

### *Information*

27. Section 102 of the Act (register of authorised persons etc.)...
28. Section 104 of the Act (power to call for information)...
29. Section 106 of the Act (exercise of investigation powers by...



*Auditors*

- 30. Subsection (3) of section 107 of the Act (appointment of...
- 31. Section 109 of the Act (communication by auditor with supervisory...
- 32. Subsection (3) of section 110 of the Act (overseas business)...

*Fees*

- 33. Section 113 of the Act (periodical fees) shall have effect...

*Prevention of restrictive practices*

- 34. Section 119 of the Act (recognised self-regulating organisations, investment exchanges...
- 35. Section 121 of the Act (designated agencies) shall have effect...

*Relations with other regulatory authorities*

- 36. (1) Section 128C of the Act (enforcement in support of...

*Official listing of securities*

- 37. Section 154 of the Act (advertisements etc. in connection with...

*Offers of unlisted securities*

- 38. Section 171 of the Act (contraventions in relation to offers...

*Insider dealing*

- 39. (1) Section 178 of the Act (penalty for failure to...

*Restrictions on disclosure of information*

- 40. Section 179 of the Act (restrictions on disclosure of information)...
- 41. Section 180 of the Act (exceptions from restriction on disclosure...

*Miscellaneous and supplementary*

- 42. Section 191 of the Act (occupational pension schemes) shall have...
- 43. Section 206 of the Act shall have effect as if...

*Activities constituting investment business*

- 44. (1) Paragraph 17 of Schedule 1 to the Act (investments...

*Requirements for recognition of self-regulating organisation*

- 45. (1) Paragraph 2 of Schedule 2 to the Act (requirements...

*Qualifications of designated agency*

- 46. (1) Paragraph 4 of Schedule 7 to the Act (qualifications...

*Principles applicable to designated agency's legislative provisions*

- 47. Schedule 8 to the Act (principles applicable to designated agency's...

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PART I — PRIMARY LEGISLATION

*Judicial Factors Act 1849 (c. 51)*

1. Section 5(1) of the Judicial Factors Act 1849 (factor to...

*Bankers' Books Evidence Act 1879 (c. 11)*

2. Section 9(1) of the Bankers' Books Evidence Act 1879 (meaning...

*Agricultural Credits Act 1928 (c. 43)*

3. Section 5(7) of the Agricultural Credits Act 1928 (meaning of...

*Agricultural Credits (Scotland) Act 1929 (c. 13)*

4. Section 9(2) of the Agricultural Credits (Scotland) Act 1929 (meaning...

*Superannuation Act 1972 (c. 11)*

5. Sections 1, 9 and 10 of the Superannuation Act 1972...

*Superannuation (Northern Ireland) Order 1972 (S.I. 1972/1073 (N.I. 10))*

6. Articles 3, 11 and 12 of the Superannuation (Northern Ireland)...

*Consumer Credit Act 1974 (c. 39)*

7. Section 16(1)(h) of the Consumer Credit Act 1974 (exclusion of...

*Solicitors Act 1974 (c. 47)*

8. (1) Section 23(2) of the Solicitors Act 1974 (unqualified person...

*Credit Unions Act 1979 (c. 34)*

9. Section 31(1) of the Credit Unions Act 1979 (interpretation) shall...

*Crown Agents Act 1979 (c. 43)*

10. Section 8(5) of the Crown Agents Act 1979 (pre-funding of...

*Solicitors (Scotland) Act 1980 (c. 46)*

11. Section 35(2) of the Solicitors (Scotland) Act 1980 (accounts rules)...

*British Telecommunications Act 1981 (c. 38)*

12. Section 67(4) of the British Telecommunications Act 1981 (general classes...

*Housing (Northern Ireland) Order 1981 (S.I. 1981/156 (N.I.3))*

13. In Schedule 10 to the Housing (Northern Ireland) Order 1981,...

*Duchy of Cornwall Management Act 1982 (c. 47)*

14. Section 6(4) of the Duchy of Cornwall Management Act 1982...

*Data Protection Act 1984 (c. 35)*

15. Section 30 of the Data Protection Act 1984 (exemption for...

*Companies Act 1985 (c. 6)*

16. Section 446 of the Companies Act 1985 (investigation of share...

*Company Securities (Insider Dealing) Act 1985 (c. 8)*

17. Section 13 of the Company Securities (Insider Dealing) Act 1985...

*Bankruptcy (Scotland) Act 1985 (c. 66)*

18. Section 73(1) of the Bankruptcy (Scotland) Act 1985 (interpretation) shall...

*Housing Act 1985 (c. 68)*

19. Section 622 of the Housing Act 1985 (minor definitions: general)...

*Housing Associations Act 1985 (c. 69)*

20. Section 106(1) of the Housing Associations Act 1985 (minor definitions:...

*Credit Unions (Northern Ireland) Order 1985 (S.I. 1985/1205 (N.I.12))*

21. Article 2(2) of the Credit Unions (Northern Ireland) Order 1985...

*Building Societies Act 1986 (c. 53)*

22. In the Building Societies Act— (a) section 7(4) (power to...

*Financial Services Act 1986 (c. 60)*

23. In Part I of Schedule 5 to the Financial Services...

*Companies (Northern Ireland) Order 1986 (S.I. 1986/1032 (N.I.6))*

24. Article 439 of Companies (Northern Ireland) Order 1986 (investigation of...

*Company Securities (Insider Dealing) (Northern Ireland) Order 1986 (S.I. 1986/1034 (N.I.8))*

25. Article 7 of Company Securities (Insider Dealing) (Northern Ireland) Order...

*Housing (Scotland) Act 1987 (c. 26)*

26. Section 338(1) of the Housing (Scotland) Act 1987 (minor definitions:...

*Consumer Protection Act 1987 (c. 43)*

27. Section 22 of the Consumer Protection Act 1987 (application to...

*Consumer Protection (Northern Ireland) Order 1987 (S.I. 1987/2049 (N.I. 20))*

28. Article 15 of the Consumer Protection (Northern Ireland) Order 1987...

*Companies Act 1989 (c. 40)*

29. Section 176 of the Companies Act 1989 (power to make...

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*Local Government and Housing Act 1989 (c. 42)*

30. Section 43(2) of the Local Government and Housing Act 1989...

*Courts and Legal Services Act 1990 (c. 41)*

31. In the Courts and Legal Services Act 1990—

*Companies (No.2) (Northern Ireland) Order 1990 (S.I. 1990/1504 (N.I.10))*

32. Article 98 of the Companies (No.2) (Northern Ireland) Order 1990...

*Charities Act 1992 (c. 41)*

33. Section 18(8) of the Charities Act 1992 (dormant bank accounts...  
PART II — SUBORDINATE LEGISLATION

*National Savings Stock Register Regulations 1976 (S.I. 1976/2012)*

34. Regulation 30(1A) of the National Savings Stock Register Regulations 1976(minors)...

*Estate Agents (Accounts) Regulations 1981 (S.I. 1981/1520)*

35. In the Schedule to the Estate Agents (Accounts) Regulations 1981...

*Building Societies (Mobile Homes) Order 1986 (S.I. 1986/1877)*

36. Article 2 of the Building Societies (Mobile Homes) Order 1986(interpretation)...

*Insolvency Regulations 1986 (S.I. 1986/1994)*

37. Regulation 2 of the Insolvency Regulations 1986(interpretation) shall have effect...

*Money Purchase Contracted-out Schemes Regulations 1987 (S.I. 1987/1101)*

38. In the Schedule to the Money Purchase Contracted-out Schemes Regulations...

*Local Government Superannuation (Scotland) Regulations 1987 (S.I. 1987/1850)*

39. Regulation P6(4)(b)(iii) of the Local Government Superannuation (Scotland) Regulations 1987(use...

*Data Protection (Regulation of Financial Services etc.)  
(Subject Access Exemption) Order 1987 (S.I. 1987/1905)*

40. (1) Schedule 1 to the Data Protection (Regulation of Financial...

*Friendly Societies (Long Term Insurance Business) Regulations 1987 (S.I. 1987/2132)*

41. Regulation 34 of the Friendly Societies (Long Term Insurance Business)...

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*Money Purchase Contracted-out Schemes Regulations  
(Northern Ireland) 1987 (S.R.(N.I.) 1987/279)*

42. In the Schedule to the Money Purchase Contracted-out Schemes Regulations...

*Personal Pension Schemes (Appropriate Schemes) Regulations 1988 (S.I. 1988/137)*

43. Regulation 3(3) of the Personal Pension Schemes (Appropriate Schemes) Regulations...

*Financial Services Act 1986 (Investment Advertisements)  
(Exemptions) Order 1988 (S.I. 1988/316)*

44. Article 9 of the Financial Services Act 1986 (Investment Advertisements)...

*Banking Act 1987 (Advertisements) Regulations 1988 (S.I. 1988/645)*

45. Regulation 2 of the Banking Act 1987 (Advertisements) Regulations 1988...

*Banking Act 1987 (Exempt Transactions) Regulations 1988 (S.I. 1988/646)*

46. (1) In the Banking Act 1987 (Exempt Transactions) Regulations 1988—...

*Security (Payments on Account, Overpayments and Recovery) Regulations 1988 (S.I. 1988/664)*

47. Regulation 10 of the Social Security (Payments on Account, Overpayments)...

*Public Companies (Disclosure of Interests in Shares) (Investment  
Management Exclusion) Regulations 1988 (S.I. 1988/706)*

48. Regulation 3 of the Public Companies (Disclosure of Interests in...

*Services Act 1986 (Investment Advertisements) (Exemptions) (No. 2) Order 1988 (S.I. 1988/716)*

49. Article 7 of the Financial Services Act 1986 (Investment Advertisements)...

*Building Societies (Supplementary Capital) Order 1988 (S.I. 1988/777)*

50. In Part III of the Schedule to the Building Societies...

*Control of Misleading Advertisements Regulations 1988 (S.I. 1988/915)*

51. Regulation 3 of the Control of Misleading Advertisements Regulations 1988...

*Personal Pension Schemes (Appropriate Schemes)  
Regulations (Northern Ireland) 1988 (S.R.(N.I.) 1988/34)*

52. Regulation 3(3)(c) of the Personal Pension Schemes (Appropriate Schemes) Regulations...

*Security (Payments on Account, Overpayments and Recovery)  
Regulations (Northern Ireland) 1988 (S.R.(N.I.) 1988/142)*

53. Regulation 10 of the Social Security (Payments on Account, Overpayments)...

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*Consumer Credit (Exempt Agreements) Order 1989 (S.I. 1989/869)*

54. Article 2(2) of the Consumer Credit (Exempt Agreements) Order 1989...

*Consumer Credit (Advertisements) Regulations 1989 (S.I.1989/1125)*

55. Regulation 2(3) of the Consumer Credit (Advertisements) Regulations 1989 (general...

*Consumer Credit (Quotations) Regulations 1989 (S.I. 1989/1126)*

56. Regulation 2(5) of the Consumer Credit (Quotations) Regulations 1989 (form...

*Collection Fund (England) Regulations 1989 (S.I. 1989/2336)*

57. Schedule 2 to the Collection Fund (England) Regulations 1989 (prescribed...

*Collection Fund (Wales) Regulations 1989 (S.I. 1989/2363)*

58. Schedule 2 to the Collection Fund (Wales) Regulations 1989 (prescribed...

*Local Authorities (Capital Finance) (Approved Investments) Regulations 1990 (S.I. 1990/426)*

59. Regulation 2 of the Local Authorities (Capital Finance) (Approved Investments)...

*Building Societies (Designation of Qualifying Bodies) Order 1990 (S.I. 1990/1434)*

60. In Part II of the Schedule to the Building Societies...

*Building Societies (Designation of Qualifying Bodies) Order 1991 (S.I. 1991/357)*

61. In Part II of the Schedule to the Building Societies...

*Building Societies (Designated Capital Resources) (Permanent Interest Bearing Shares) Order 1991 (S.I. 1991/702)*

62. Article 4(4) of the Building Societies (Designated Capital Resources) (Permanent...

*Building Societies (Designation of Qualifying Bodies) (No.2) Order 1991 (S.I. 1991/2581)*

63. In Part II of the Schedule to the Building Societies...

*Insolvency Regulations (Northern Ireland) 1991 (S.R.(N.I.) 1991/388)*

64. Regulation 2 of the Insolvency Regulations (Northern Ireland) 1991 (interpretation)...

*Building Societies (Designation of Qualifying Bodies) Order 1992 (S.I. 1992/649)*

65. In Part II of the Schedule to the Building Societies...

*Building Societies (Designation of Qualifying Bodies) (No.2) Order 1992 (S.I. 1992/650)*

66. In Part II of the Schedule to the Building Societies...

*Building Societies (Designation of Qualifying Bodies) (No.3) Order 1992 (S.I. 1992/651)*

67. In Part II of the Schedule to the Building Societies...

*Building Societies (Designation of Qualifying Bodies) (No.4) Order 1992 (S.I. 1992/652)*

68. In Part II of the Schedule to the Building Societies...

SCHEDULE 11 — TRANSITIONAL PROVISIONS AND SAVINGS  
PART I — RECOGNITION OF INSTITUTIONS

*European authorised institutions*

1. (1) This paragraph applies to a credit institution incorporated in...

*UK authorised institutions*

2. (1) This paragraph applies to a credit institution incorporated in...

3. (1) An institution which by virtue of paragraph 2 above...

PART II — AMENDMENTS OF BANKING ACT

*Requirement as to minimum initial capital*

4. (1) This paragraph applies to a credit institution incorporated in...

*Revocation of authorisation*

5. (1) This paragraph applies to a credit institution incorporated in...

*Restriction of authorisation*

6. (1) This paragraph applies to a credit institution incorporated in...

*Information and documents*

7. Where a notice served on an institution to which paragraph...

PART III — AMENDMENTS OF FINANCIAL SERVICES ACT

*Preliminary*

8. (1) Any reference in this Part of this Schedule to...

*Statements of principle*

9. (1) A statement of principle issued under section 47A of...

*Conduct of business rules*

10. (1) Rules made under section 48 of the Financial Services...

*Financial resources rules*

11. If the Board is satisfied that it is necessary to...

*Cancellation rules*

12. (1) Rules made under section 51 of the Financial Services...

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*Notification regulations*

13. (1) Regulations made under section 52 of the Financial Services...

*Compensation fund*

14. (1) Rules under section 54 of the Financial Services Act...

*Clients' money*

15. (1) Regulations under section 55 of the Financial Services Act...

*Unsolicited calls*

16. (1) Regulations under section 56 of the Financial Services Act...

*Supplemental*

17. (1) An order under this Part of this Schedule may...

PART IV — AMENDMENTS OF BUILDING SOCIETIES ACT

*Requirements as to qualifying capital and own funds*

18. (1) This paragraph applies to a building society which immediately...

*Revocation of authorisation*

19. (1) This paragraph applies to a building society which immediately...

Explanatory Note