

## SCHEDULE 2

### Amendments of subordinate legislation

#### **The Bradford & Bingley plc Transfer of Securities and Property etc. Order 2008**

- 146.** In the Bradford & Bingley plc Transfer of Securities and Property etc. Order 2008(1)—
- (a) in article 2 (interpretation: general)—
    - (i) in the definition of “the Financial Services Compensation Scheme”, omit “by the Authority”;
    - (ii) in the definition of “FSCS”, omit “by the Authority”;
  - (b) in article 15 (approved persons)—
    - (i) in paragraph (1), for “Authority is” substitute “Financial Conduct Authority and the Prudential Regulation Authority are”;
    - (ii) in paragraphs (2) and (3), for “Authority” in each place it appears substitute “Financial Conduct Authority or the Prudential Regulation Authority”;
  - (c) in article 37 (modification to Authority’s rule-making power)—
    - (i) for paragraph (1) substitute—

“(1) Section 137A of the 2000 Act (the FCA’s general rules) has effect as if, in subsection (1), after “for the purpose of advancing one or more of its operational objectives” there were inserted “or for the purposes of, to facilitate or in consequence of, a transfer under section 3 of the Banking (Special Provisions) Act 2008”.

(1A) Section 137G of the 2000 Act (the PRA’s general rules) has effect as if, in subsection (1), after “for the purpose of advancing any of its objectives” there were inserted “or for the purposes of, to facilitate or in consequence of, a transfer under section 3 of the Banking (Special Provisions) Act 2008”.”;
    - (ii) in paragraph (2)—
      - (aa) for “Section 148(2)” substitute “Section 138A”;
      - (bb) for “Authority” substitute “Financial Conduct Authority or the Prudential Regulation Authority”;
    - (iii) in paragraph (3)—
      - (aa) for “Section 148(4)” substitute “Section 138A(4)”;
      - (bb) for “Authority” in the first place it appears substitute “Financial Conduct Authority or the Prudential Regulation Authority”;
      - (cc) for “the Authority” in the second place those words appear substitute “that regulator”;
      - (dd) for “section 148” substitute “section 138A”;
    - (iv) in the heading, for “Authority’s” substitute “regulator’s”;
  - (d) in article 38 (modification to Authority’s duty to consult on rule changes)—
    - (i) in paragraph (1), for “Section 155(7)” substitute “Subsections (1) and (2) of section 138L”;
    - (ii) in paragraph (2)—

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (aa) for “Section 157 of the 2000 Act (guidance)” substitute “Section 139A of the 2000 Act (power of the FCA to give guidance)”;
- (bb) for “Section 155(7)” substitute “Section 138L(1)”;
- (iii) in the heading, for “Authority’s” substitute “regulator’s”.