Draft Regulations laid before Parliament under section 116(1) of the Financial Services Act 2012 and section 39(6) of the Bank of England and Financial Services Act 2016, for approval by resolution of each House of Parliament.

D R A F T S T A T U T O R Y I N S T R U M E N T S

2017 No.

FINANCIAL SERVICES

The Bank of England and Financial Services (Consequential Amendments) Regulations 2017

Made - - - -	*****
Coming into force - -	*1st March 2017*

The Treasury make the following Regulations in exercise of the powers conferred by section 118(1) of the Financial Services Act 2012(**a**) and section 39(1), (2) and (3) of the Bank of England and Financial Services Act 2016(**b**).

A draft of this instrument has been laid before Parliament in accordance with section 116(1) of the Financial Services Act 2012 and section 39(6) of the Bank of England and Financial Services Act 2016 and approved by a resolution of each House of Parliament.

Citation and commencement

1. These Regulations may be cited as the Bank of England and Financial Services (Consequential Amendments) Regulations 2017 and come into force on 1st March 2017.

Consequential amendments

2. The Schedule has effect.

Name
Name
Date Two of the Lords Commissioners of Her Majesty's Treasury

(**a**) 2012 c.21.
(**b**) 2016 c.14.

SCHEDULE

Regulation 2

CONSEQUENTIAL AMENDMENTS

PART 1

Amendments to primary legislation

Companies Act 1985

1. In the Companies Act 1985(**a**), before section 746 insert—

"**"Bank of England"**

745A. In this Act references to the Bank of England do not include the Bank acting in its capacity as the Prudential Regulation Authority.".

Building Societies Act 1986

2. In section 119 of the Building Societies Act 1986(**b**) (interpretation), after subsection (1) insert—

"(1ZA) In this Act references to the Bank of England do not include the Bank acting in its capacity as the Prudential Regulation Authority.".

Companies Act 1989

3. In the Companies Act 1989(**c**)—

(a) before section 212 (but after the italic heading before section 212) insert—

"**"Bank of England"**

211A. In this Act references to the Bank of England do not include the Bank acting in its capacity as the Prudential Regulation Authority."; and

(b) in section 213 (provisions extending to Northern Ireland), in subsection (8) after "(miscellaneous and general provisions)," insert "section 211A,".

Water Act 1989

4. In section 174 of the Water Act 1989(**d**) (general restrictions on disclosure of information), after subsection (8) insert—

"(9) In this section the reference to the Bank of England does not include the Bank acting in its capacity as the Prudential Regulation Authority.".

(**a**) 1985 c.6; section 449 was substituted by the Companies (Audit, Investigations and Community Enterprise) Act 2004 (c.27), Schedule 2, Part 3, paragraph 18; section 745 was repealed by the Companies Act 2006 (c.46), Schedule 16.

(**b**) 1986 c.53; sections 89A and 90D were inserted by S.I. 2009/805 and subsequently amended by S.I. 2013/496, section 90D was further amended by S.I. 2014/3344; section 119 was amended by S.I. 2001/2617 and 2013/496.

(**c**) 1989 c.40.

(**d**) 1989 c.15; paragraph (e) of section 174(2) was substituted by S.I. 2001/3649 and subsequently amended by the Financial Services Act 2012 (c.21), Schedule 18, Part 2, paragraph 61 and S.I. 2013/1882.

Water Industry Act 1991

5. In section 206 of the Water Industry Act 1991(**a**) (restriction on disclosure of information), after subsection (10) insert—

"(11) In this section the reference to the Bank of England does not include the Bank acting in its capacity as the Prudential Regulation Authority.".

Water Resources Act 1991

6. In section 204 of the Water Resources Act 1991(**b**) (restriction on disclosure of information), after subsection (7) insert—

"(8) In this section the reference to the Bank of England does not include the Bank acting in its capacity as the Prudential Regulation Authority.".

Social Security Administration (Northern Ireland) Act 1992

7. In the Social Security Administration (Northern Ireland) Act 1992(**c**)—

(a) in section 13A (payment out of benefit of sums in respect of mortgage interest, etc.), in subsection (4), in the definitions of "deposit taker" and "insurer", for "Part 4" substitute "Part 4A"; and

(b) in section 103B (power to require information), in subsection (7), in the definitions of "bank" and "insurer", for "Part IV" substitute "Part 4A".

Pension Schemes Act 1993

8. In the Pension Schemes Act 1993(**d**)—

(a) in section 149 (procedure on an investigation), in subsection (6)(eb), after the words "Bank of England" insert "(acting otherwise than in its capacity as the Prudential Regulation Authority)"; and

(b) in section 158A (other disclosures by the Secretary of State), in the Table in subsection (1), in the entry relating to the Bank of England, in the second column, after the word "functions" insert ", apart from its functions as the Prudential Regulation Authority".

Pension Schemes (Northern Ireland) Act 1993

9. In the Pension Schemes (Northern Ireland) Act 1993(**e**)—

(**a**) 1991 c.56; paragraph (e) of section 206(3) was substituted by S.I. 2001/3649 and subsequently amended by the Financial Services Act 2012, Schedule 18, Part 2, paragraph 72.

(**b**) 1991 c.57; paragraph (e) of section 204(2) was substituted by S.I. 2001/3649 and subsequently amended by the Financial Services Act 2012, Schedule 18, Part 2, paragraph 73.

(**c**) 1992 c.8; section 13A was inserted by the Social Security (Mortgage Interest Payments) (Northern Ireland) Order 1992 (S.I. 1992/1309 (N.I. 9)), Schedule, paragraph 1 and the definitions of "deposit taker" and "insurer" in subsection (4) were inserted by S.I. 2002/1555; section 103B was inserted by the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c.4 (N.I.)), Schedule 6, paragraph 2; subsections (6) and (7) were inserted by the Social Security Fraud Act (Northern Ireland) 2001 (c.17 (N.I.)), section 1(4) and the definitions of "bank" and "insurer" in subsection (7) were substituted and inserted, respectively, by S.R. (N.I.) 2002 No. 408.

(**d**) 1993 c.48; subsections (5) and (6) of section 149 were inserted by the Pensions Act 1995 (c.26), section 159(1) and subsection (6) was subsequently amended by the Financial Services Act 2012, Schedule 18, Part 2, paragraph 78(2). Section 158A was inserted by the Pensions Act 1995, Schedule 6, paragraph 9 and subsequently amended by the Bank of England Act 1998 (c.11), Schedule 5, paragraph 69(3) and the Financial Services Act 2012, Schedule 18, Part 2, paragraph 78(3).

(**e**) 1993 c.49; subsections (5) and (6) of section 145 were inserted by the Pensions (Northern Ireland) Order 1995 (S.I. 1995/3213 (N.I. 22)), Article 155(1) and paragraph (e) of subsection (6) was subsequently amended by the Bank of England Act 1998, Schedule 5, paragraph 70(2); section 154A was inserted by the Pensions (Northern Ireland) Order 1995, Schedule 4, paragraph 9 and, in that section, the entries relating to the Bank of England and the Financial Services Authority were amended and inserted, respectively, by the Bank of England Act 1998, Schedule 5, paragraph 70(3) and the entry relating to the Financial Services Authority was subsequently amended by S.I. 2001/3649; section 175A was inserted by S.I. 2001/3649; section 180 was amended by S.I. 2001/3649.

(a) in section 145 (procedure on an investigation), in subsection (6), for paragraph (e) substitute—

"(e) the Financial Conduct Authority,

(ea) the Prudential Regulation Authority,

(eb) the Bank of England (acting otherwise than in its capacity as the Prudential Regulation Authority),";

(b) in section 154A (other disclosures by the Department), in the Table in subsection (1)—

(i) in the entry relating to the Bank of England, in the second column, after the word "functions" insert ", apart from its functions as the Prudential Regulation Authority"; and

(ii) in the entry relating to the Financial Services Authority, in the first column, for the words "Financial Services Authority" substitute "Financial Conduct Authority or the Prudential Regulation Authority";

(c) in section 175A (insurer and long-term insurance business), in subsection (1)(a), for "Part 4" substitute "Part 4A"; and

(d) in section 180 (consultations about other regulations)—

(i) in subsection (1), for the words "Financial Services Authority" substitute "appropriate regulator"; and

(ii) after that subsection insert—

"(1A) "The appropriate regulator" means—

(a) where the group insurance business to which the regulations relate consists only of activities which are PRA-regulated activities, the Prudential Regulation Authority,

(b) where the group insurance business to which the regulations relate consists partly of activities which are PRA-regulated activities and partly of other regulated activities, the Prudential Regulation Authority and the Financial Conduct Authority, or

(c) in any other case, the Financial Conduct Authority.

(1B) In subsection (1A) "regulated activities" and "PRA-regulated activities" have the same meaning as in the Financial Services and Markets Act 2000(**a**).".

Freedom of Information Act 2000

10. In Part 6 of Schedule 1 to the Freedom of Information Act 2000(**b**) (other public bodies and offices: general)—

(a) omit the entry for the Prudential Regulation Authority, and

(b) in the entry for the Bank of England, after the words "Bank of England" insert "(including the Bank in its capacity as the Prudential Regulation Authority)".

Terrorism Act 2000

11. In Part 1 of Schedule 3A to the Terrorism Act 2000(**c**) (regulated sector), in paragraph 2(4)(c) after the words "Bank of England" insert "(acting otherwise than in its capacity as the Prudential Regulation Authority)".

(**a**) 2000 c.8.

(**b**) 2000 c.36; in Part 6 of Schedule 1, the entry for the Prudential Regulation Authority was inserted by the Financial Services Act 2012, Schedule 18, Part 2, paragraph 91(b).

(**c**) 2000 c.11; Schedule 3A was inserted by the Anti-terrorism, Crime and Security Act 2001 (c.24), Schedule 2, Part 3, paragraph 5(6) and Part 1 of Schedule 3A was substituted by S.I. 2007/3288.

Utilities Act 2000

12. In section 105 of the Utilities Act 2000(**a**) (general restrictions on disclosure of information), in subsection (10), for the full stop at the end of the definition of "REMIT requirement" substitute a semicolon and after that definition insert —

> "and the reference to the Bank of England does not include the Bank acting in its capacity as the Prudential Regulation Authority.".

Proceeds of Crime Act 2002

13. In Part 1 of Schedule 9 to the Proceeds of Crime Act 2002(**b**) (regulated sector), in paragraph 2(4)(c), after the words "Bank of England" insert "(acting otherwise than in its capacity as the Prudential Regulation Authority)".

Companies (Audit, Investigations and Community Enterprise) Act 2004

14. In section 15D of the Companies (Audit, Investigations and Community Enterprise) Act 2004(**c**) (permitted disclosure of information obtained under compulsory powers)—

(a) in subsection (3)(d), after the words "Bank of England" insert "(including the Bank in its capacity as the Prudential Regulation Authority)";

(b) in subsection (3)(e), for the words "Financial Services Authority" substitute "Financial Conduct Authority";

(c) in subsection (4)(e), after the words "Bank of England" insert "(acting otherwise than in its capacity as the Prudential Regulation Authority)"; and

(d) in subsection (4)(g), for the words "Financial Services Authority" substitute "Financial Conduct Authority or the Prudential Regulation Authority".

Pensions Act 2004

15. In the Pensions Act 2004(**d**)—

(a) in Schedule 3 (restricted information held by the Regulator: certain permitted disclosures to facilitate exercise of functions), in the Table, in the entry relating to the Bank of England, in the second column, after the word "functions" insert ", apart from its functions as the Prudential Regulation Authority"; and

(b) in Schedule 8 (restricted information held by the Board: certain permitted disclosures to facilitate exercise of functions), in the Table, in the entry relating to the Bank of England, in the second column, after the word "functions" insert ", apart from its functions as the Prudential Regulation Authority".

Pensions (Northern Ireland) Order 2005

16. In the Pensions (Northern Ireland) Order 2005(**e**)—

(a) in Schedule 3 (restricted information held by the Regulator: certain permitted disclosures to facilitate exercise of functions), in the Table, in the entry relating to the Bank of England, in the second column, after the word "functions" insert ", apart from its functions as the Prudential Regulation Authority"; and

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(**a**) 2000 c.27; paragraph (da) of section 105(4) was inserted by S.I. 2002/1555 and subsequently amended by the Financial Services Act 2012, Schedule 18, Part 2, paragraph 89 and S.I. 2013/1882.
(**b**) 2002 c.29; Part 1 of Schedule 9 was substituted by S.I. 2007/3287.
(**c**) 2004 c.27; section 15D was inserted by S.I. 2008/948.
(**d**) 2004 c.35; Schedules 3 and 8 were amended by the Financial Services Act 2012, Schedule 18, Part 2, paragraphs 104(3)(a) and (4)(a) respectively.
(**e**) S.I. 2005/255 (N.I. 1), amended by S.I. 2013/472; there are other amending instruments but none is relevant.

(b) in Schedule 7 (restricted information held by the Board: certain permitted disclosures to facilitate exercise of functions), in the Table, in the entry relating to the Bank of England, in the second column, after the word "functions" insert ", apart from its functions as the Prudential Regulation Authority".

Serious Organised Crime and Police Act 2005

17. In section 71 of the Serious Organised Crime and Police Act 2005(**a**) (assistance by offender: immunity from prosecution), in subsection (6B)—

(a) omit the words "and paragraph 16(1) of Schedule 1ZB", and

(b) after "(arrangements for discharging functions)" insert "and paragraph 17(1) of Schedule 6A to the Bank of England Act 1998(**b**) (delegation of functions)".

Companies Act 2006

18. In the Companies Act 2006(**c**), after section 1292 insert—

""Bank of England"

"Bank of England"

1292A. In this Act, except in section 796, references to the Bank of England do not include the Bank acting in its capacity as the Prudential Regulation Authority."

Equality Act 2010

19. In Part 1 of Schedule 19 to the Equality Act 2010(**d**) (public authorities: general), under the heading "Industry, business and finance etc"—

(a) in the entry for the Bank of England, after the words "Bank of England" insert "(including the Bank in its capacity as the Prudential Regulation Authority)", and

(b) omit the entry for the Prudential Regulation Authority.

Charities Act 2011

20. In section 109 of the Charities Act 2011(**e**) (dormant bank accounts: supplementary), in subsection (3)(a), after the words "Bank of England" insert "(acting otherwise than in its capacity as the Prudential Regulation Authority)".

(**a**) 2005 c.15; section 71(6B) was substituted by the Financial Services Act 2012 (c.21), Schedule 18, Part 2, paragraph 106(4).

(**b**) 1998 c.11; Schedule 6A was inserted by the Bank of England and Financial Services Act 2016 (c.14), section 13(3) and Schedule 1.

(**c**) 2006 c.46; sections 461, 948, 950 and 995 were amended by the Financial Services Act 2012, Schedule 18, Part 2, paragraphs 112, 118, 119 and 120 respectively; Schedule 2 was amended by paragraph 123(2) and (3)(c) and Schedule 11A was amended by paragraph 124(2) and (3)(c) of Schedule 18 to that Act.

(**d**) 2010 c.15; In Part 1 of Schedule 19, the heading "Industry, business and finance etc" and related entries were inserted by S.I. 2011/1060 and the entry for the Prudential Regulation Authority was inserted by the Financial Services Act 2012, Schedule 18, Part 2, paragraph 131(b).

(**e**) 2011 c.25.

PART 2

Amendments to subordinate legislation

Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975

21. In article 2 of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975(**a**), before paragraph (2A) insert—

"(2ZA) In this Order references to the Bank of England do not include the Bank acting in its capacity as the Prudential Regulation Authority.".

Race Relations (Prescribed Public Bodies) (No. 2) Regulations 1994

22. In Schedule 2 to the Race Relations (Prescribed Public Bodies) (No. 2) Regulations 1994(**b**) (prescribed public bodies), in the entry for the Bank of England, after the words "Bank of England" insert "(including the Bank in its capacity as the Prudential Regulation Authority)".

Financial Markets and Insolvency (Settlement Finality) Regulations 1999

23. In regulation 2 of the Financial Markets and Insolvency (Settlement Finality) Regulations 1999(**c**) (interpretation), in paragraph (2) before sub-paragraph (a) insert—

"(za) references to the Bank of England do not include the Bank acting in its capacity as the Prudential Regulation Authority;".

Land Registration Rules 2003

24.—(1) In the Land Registration Rules 2003(**d**)—

(a) in Schedule 1 (schedule 1 forms referred to in rules 206, 207A and 210), in Form CIT, in certificate Q, after "a person authorised to apply on behalf of the Bank of England" insert "(acting otherwise than in its capacity as the Prudential Regulation Authority)", and

(b) in Schedule 5 (applications in connection with court proceedings, insolvency and tax liability – qualifying applicants and appropriate certificates), in the first column of the Table, in the entry "A person authorised to apply on behalf of the Bank of England" after the words "Bank of England" insert "(acting otherwise than in its capacity as the Prudential Regulation Authority)".

(2) Forms of the kind mentioned in paragraph (1)(a) may be used after the coming into force of these Regulations even though they do not contain the wording inserted by paragraph (1)(a) and references to the Bank of England in those forms are to be read as references to the Bank acting otherwise than in its capacity as the Prudential Regulation Authority.

Proceeds of Crime Act 2002 (Disclosure of Information to and by Lord Advocate and Scottish Ministers) Order 2003

25. In article 3 of the Proceeds of Crime Act 2002 (Disclosure of Information to and by the Lord Advocate and Scottish Ministers) Order 2003(**e**) (disclosure of information by Lord Advocate and by Scottish Ministers), in paragraph (b), after the words "Bank of England" insert "(acting otherwise than in its capacity as the Prudential Regulation Authority)".

(**a**) S.I. 1975/1023; relevant amending instruments are S.I. 2001/3816, 2007/2149, 2011/99, 2011/1800, 2013/472, 2013/504, 2013/1198, 2013/1388 and 2013/1773.
(**b**) S.I. 1994/1986.
(**c**) S.I. 1999/2979, amended by S.I. 2013/472; there are other amending instruments but none is relevant.
(**d**) S.I. 2003/1417, Schedule 1 was substituted S.I. 2008/1919 and form CIT in Schedule 1 was subsequently amended by S.I. 2009/2748, 2013/2318, 2014/834 and 2014/2371. Schedule 5 was amended by S.I. 2013/472; there are other amending instruments but none is relevant.
(**e**) S.S.I. 2003/93, amended by S.I. 2013/472; there are other amending instruments but none is relevant.

Credit Institutions (Reorganisation and Winding up) Regulations 2004

26. In regulation 10 of the Credit Institutions (Reorganisation and Winding up) Regulations 2004(**a**) (notification to EEA regulators), in paragraph (3), after "Bank of England" insert "(acting otherwise than in its capacity as the Prudential Regulation Authority)".

Financial Assistance Scheme (Appeals) Regulations 2005

27. In regulation 28 of the Financial Assistance Scheme (Appeals) Regulations 2005(**b**) (restriction on use of documents and information provided for investigations), in paragraph (3)(fb), after the words "Bank of England" insert "(acting otherwise than in its capacity as the Prudential Regulation Authority)".

Limited Liability Partnerships (Accounts and Audit) (Application of Companies Act 2006) Regulations 2008

28. In section 461 of the Companies Act 2006(**c**), as modified and applied to LLPs by regulation 24 of the Limited Liability Partnerships (Accounts and Audit) (Application of Companies Act 2006) Regulations 2008(**d**), further modify subsection (4)(e) to read as follows—

> "(e) for the purpose of enabling or assisting the Bank of England to exercise its functions when acting otherwise than in its capacity as the Prudential Regulation Authority;".

Proceeds of Crime Act 2002 (Disclosure of Information) Order 2008

29. In article 3 of the Proceeds of Crime Act 2002 (Disclosure of Information) Order 2008(**e**) (disclosure of information by certain Directors), in paragraph (b), after the words "Bank of England" insert "(acting otherwise than in its capacity as the Prudential Regulation Authority)".

Bank Administration (England and Wales) Rules 2009

30. In rule 4 of the Bank Administration (England and Wales) Rules 2009(**f**), after paragraph (1)(d) insert—

> "(da) "Bank of England" (s 256B(1)),".

Bank Administration Rules (Northern Ireland) 2009

31. In rule 4 of the Bank Administration Rules (Northern Ireland) 2009(**g**), in the appropriate place insert—

> ""Bank of England" (s. 256B(1)),".

Bank Administration (Scotland) Rules 2009

32. In rule 4 of the Bank Administration (Scotland) Rules 2009(**h**), after paragraph (1)(d) insert—

> "(da) "Bank of England" (s 256B(1));".

(**a**) S.I. 2004/1045; relevant amending instruments are S.I. 2013/472, 2013/3115 and 2014/3348.
(**b**) S.I. 2005/3273, amended by S.I. 2013/472; there are other amending instruments but none is relevant.
(**c**) 2006 c.46; section 461 was amended by the Financial Services Act 2012, Schedule 18, Part 2, paragraph 112.
(**d**) S.I. 2008/1911; relevant amending instruments are S.I. 2011/1043, 2012/1439, 2012/1741, 2013/472 and 2014/1815.
(**e**) S.I. 2008/1909, amended by S.I. 2013/472.
(**f**) S.I. 2009/357; to which there are amendments not relevant to these Regulations. Section 256B of the Banking Act 2009 (c.1) was inserted by the Bank of England and Financial Services Act 2016, Schedule 2, Part 2, paragraph 62.
(**g**) S.R. (N.I.) 2009 No. 63; to which there are amendments not relevant to these Regulations.
(**h**) S.I. 2009/350 (S.4); to which there are amendments not relevant to these Regulations.

Building Society Special Administration (Scotland) Rules 2009

33. In rule 4 of the Building Society Special Administration (Scotland) Rules 2009(**a**), in paragraph (1)(l), before paragraph (i) insert—

"(ai) "the Bank of England" (s 256B(1));".

Companies (Disclosure of Address) Regulations 2009

34. In Schedule 1 to the Companies (Disclosure of Address) Regulations 2009(**b**) (specified public authorities)—

(a) in the entry for the Bank of England, after the words "Bank of England" insert "(including the Bank in its capacity as the Prudential Regulation Authority)", and

(b) omit the entry for the Prudential Regulation Authority.

Overseas Companies Regulations 2009

35. In Schedule 1 to the Overseas Companies Regulations 2009(**c**) (specified public authorities)—

(a) in the entry for the Bank of England, after the words "Bank of England" insert "(including the Bank in its capacity as the Prudential Regulation Authority)", and

(b) omit the entry for the Prudential Regulation Authority.

Building Society Special Administration (England and Wales) Rules 2010

36. In rule 4 of the Building Society Special Administration (England and Wales) Rules 2010(**d**) (interpretation), before paragraph (1)(h)(i) insert—

"(ai) "the Bank of England" (s 256B(1)),".

Equality Act 2010 (Specific Duties) Regulations 2011

37. In Schedule 1 to the Equality Act 2010 (Specific Duties) Regulations 2011(**e**) (public authorities required to publish information by 31st January 2012), under the heading "Industry, business, finance etc"—

(a) in the entry for the Bank of England, after the words "Bank of England" insert "(including the Bank in its capacity as the Prudential Regulation Authority)", and

(b) omit the entry for the Prudential Regulation Authority.

Postal Services Act 2011 (Disclosure of Information) Order 2012

38. In article 3 of the Postal Services Act 2011 (Disclosure of Information) Order 2012(**f**) (prescription of bodies and persons), in the entry for the Bank of England, after the words "Bank of England" insert "acting otherwise than in its capacity as the Prudential Regulation Authority".

Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013

39. In article 2 of the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013(**g**) (interpretation), after paragraph (1) insert—

(**a**) S.I. 2009/806 (S.3), amended by S.I. 2013/472; there are other amending instruments but none is relevant.
(**b**) S.I. 2009/214, amended by S.I. 2013/472; there are other amending instruments but none is relevant.
(**c**) S.I. 2009/1801, amended by S.I. 2013/472; there are other amending instruments but none is relevant.
(**d**) S.I. 2010/2580, amended by S.I. 2013/496; there are other amending instruments but none is relevant.
(**e**) S.I. 2011/2260, amended by S.I. 2013/472; there are other amending instruments but none is relevant.
(**f**) S.I. 2012/1128, amended by S.I. 2013/472; there are other amending instruments but none is relevant.
(**g**) S.S.I. 2013/50; relevant amending instruments are S.I. 2013/472, 2013/504 and 2013/1388.

"(1A) In this Order references to the Bank of England do not include the Bank acting in its capacity as the Prudential Regulation Authority.".

Bank Recovery and Resolution (No. 2) Order 2014

40. In article 2 of the Bank Recovery and Resolution (No. 2) Order 2014(**a**) (interpretation), in paragraph (1), in the definition of "the Bank", after the words "Bank of England" insert "acting otherwise than in its capacity as the Prudential Regulation Authority".

Building Society Special Administration Rules (Northern Ireland) 2014

41. In rule 4 of the Building Society Special Administration Rules (Northern Ireland) 2014(**b**), before paragraph 2(a)(i) insert—

"(ai) "the Bank of England" (s. 256B(1)),".

Financial Services (Banking Reform) Act 2013 (Disclosure of Confidential Information) Regulations 2014

42. In the Schedule to the Financial Services (Banking Reform) Act 2013 (Disclosure of Confidential Information) Regulations 2014(**c**) (persons and functions in respect of which disclosure is permitted), in the Table, in the entry relating to the Bank of England, in the second column, after the words "Its public functions" insert ", apart from its functions as the Prudential Regulation Authority".

Companies (Disclosure of Date of Birth Information) Regulations 2015

43. In Schedule 1 to the Companies (Disclosure of Date of Birth Information) Regulations 2015(**d**) (specified public authorities)—

(a) in the entry for the Bank of England, after the words "Bank of England" insert "(including the Bank in its capacity as the Prudential Regulation Authority)", and

(b) omit the entry for the Prudential Regulation Authority.

Company, Limited Liability Partnership and Business (Names and Trading Disclosures) Regulations 2015

44. In Schedule 4 to the Company, Limited Liability Partnership and Business (Names and Trading Disclosures) Regulations 2015(**e**) (specified "public authorities" and list of government departments and other bodies whose views must be sought), in the Table, in the entry relating to the Prudential Regulation Authority, for the words in column (2) substitute "the Governor and Company of the Bank of England".

Small and Medium Sized Business (Credit Information) Regulations 2015

45. In regulation 7 of the Small and Medium Sized Business (Credit Information) Regulations 2015(**f**) (designated credit reference agencies to provide information to the Bank of England), omit paragraphs (3)(a), (4) and (5) and in paragraph (3)(b) omit the word "other".

(**a**) S.I. 2014/3348.
(**b**) S.R. (N.I.) 2014 No. 40.
(**c**) S.I. 2014/882.
(**d**) S.I. 2015/1694; to which there are amendments not relevant to these Regulations.
(**e**) S.I. 2015/17.
(**f**) S.I. 2015/1945.

Register of People with Significant Control Regulations 2016

46. In Schedule 3 to the Register of People with Significant Control Regulations 2016(**a**) (specified public authorities)—

(a) in the entry for the Bank of England, after the words "Bank of England" insert "(including the Bank in its capacity as the Prudential Regulation Authority)", and

(b) omit the entry for the Prudential Regulation Authority.

(**a**) S.I. 2016/339.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments to primary and subordinate legislation in consequence of the Bank of England and Financial Services Act 2016 ("the 2016 Act"). They also make minor amendments in consequence of the Financial Services Act 2012 ("the 2012 Act").

The 2016 Act ends the status of the Prudential Regulation Authority ("the PRA") as a subsidiary of the Bank of England ("the Bank") by making the Bank the PRA. The 2016 Act also creates the Prudential Regulation Committee, through which the Bank must exercise its functions as the PRA. References to the PRA in the 2016 Act or any other enactment are references to the Bank acting as the PRA through its Prudential Regulation Committee and not the Bank acting in any other capacity.

These Regulations make consequential amendments to references to the Bank and the PRA in various enactments to account for the change in status of the PRA. In some cases references to the Bank are amended to exclude the Bank when it is acting as the PRA to reflect an existing difference in the way the enactment is intended to apply to the Bank and the PRA. In other cases, references to the PRA are removed and references to the Bank are clarified as including the Bank when acting as the PRA to reflect that the enactment should now apply to the Bank including its new functions as the PRA without distinction. Other amendments are included to remove ambiguity over how a reference to the Bank should be interpreted.

Regulation 2 gives effect to the Schedule to these Regulations. Part 1 of the Schedule makes amendments to primary legislation, Part 2 of the Schedule makes amendments to subordinate legislation.

Paragraphs 7, 9 and 14 of Part 1 of the Schedule make amendments in consequence of the 2012 Act, or in consequence of both the 2012 Act and the 2016 Act. The 2012 Act replaced the Financial Services Authority with the Financial Conduct Authority and the PRA, and introduced new enforcement functions for the Bank, it also made amendments to the Financial Services and Markets Act 2000. The amendments made by these Regulations in consequence of the 2012 Act replace out-of-date references to the Financial Services Authority and update references to certain provisions of the Financial Services and Markets Act 2000 which the 2012 Act amended.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

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