



# Banking Act 2009

## 2009 CHAPTER 1

### PART 5

#### <sup>F1</sup>... PAYMENT SYSTEMS [<sup>F1</sup>AND SERVICE PROVIDERS]

#### *Enforcement*

#### **200 Management disqualification**

- (1) The Bank of England may by order prohibit a specified person from being an operator of a recognised <sup>F1</sup>... payment system [<sup>F2</sup>or from being a DSA service provider]—
  - (a) for a specified period,
  - (b) until further notice, or
  - (c) permanently.
- (2) The Bank may by order prohibit a specified person from holding an office or position involving responsibility for taking decisions about the management of a recognised <sup>F1</sup>... payment system [<sup>F3</sup>, or a recognised DSA service provider,]<sup>[<sup>F4</sup>or about the management of a service provider in relation to such a system]<sup>[<sup>F5</sup>or such a DSA service provider]</sup>—
  - (a) for a specified period,
  - (b) until further notice, or
  - (c) permanently.</sup>

<sup>[<sup>F6</sup>(2A) Before making an order under subsection (2) in respect of a service provider, the Bank must have regard to the public interest in the continued operation of each recognised payment system [<sup>F7</sup>, or of each recognised DSA service provider,] in relation to which the service provider is specified under section 206A(2)(b). [<sup>F8</sup>or 206A(2A)(b) (as the case may be).]</sup>

- (3) A person who breaches a prohibition under subsection (1) or (2) commits an offence.
- (4) A person guilty of an offence is liable—
  - (a) on summary conviction, to a fine not exceeding the statutory maximum, or

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*Changes to legislation: Banking Act 2009, Section 200 is up to date with all changes known to be in force on or before 23 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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(b) on conviction on indictment, to a fine.

#### Textual Amendments

- F1** Word in s. 200(1)(2) omitted (27.6.2017) by virtue of [Digital Economy Act 2017 \(c. 30\)](#), s. 118(2), [Sch. 9 para. 22](#)
- F2** Words in s. 200(1) inserted (29.8.2023) by [Financial Services and Markets Act 2023 \(c. 29\)](#), s. 86(2) (a), [Sch. 6 para. 28\(2\)](#)
- F3** Words in s. 200(2) inserted (29.8.2023) by [Financial Services and Markets Act 2023 \(c. 29\)](#), s. 86(2) (a), [Sch. 6 para. 28\(3\)\(a\)](#)
- F4** Words in s. 200(2) inserted (30.11.2017) by [The Banking Act 2009 \(Service Providers to Payment Systems\) Order 2017 \(S.I. 2017/1167\)](#), arts. 1(2), [2\(20\)\(a\)](#)
- F5** Words in s. 200(2) inserted (29.8.2023) by [Financial Services and Markets Act 2023 \(c. 29\)](#), s. 86(2) (a), [Sch. 6 para. 28\(3\)\(b\)](#)
- F6** S. 200(2A) inserted (30.11.2017) by [The Banking Act 2009 \(Service Providers to Payment Systems\) Order 2017 \(S.I. 2017/1167\)](#), arts. 1(2), [2\(20\)\(b\)](#)
- F7** Words in s. 200(2A) inserted (29.8.2023) by [Financial Services and Markets Act 2023 \(c. 29\)](#), s. 86(2) (a), [Sch. 6 para. 28\(4\)\(a\)](#)
- F8** Words in s. 200(2A) inserted (29.8.2023) by [Financial Services and Markets Act 2023 \(c. 29\)](#), s. 86(2) (a), [Sch. 6 para. 28\(4\)\(b\)](#)

#### Commencement Information

- I1** S. 200 in force at 12.11.2009 for specified purposes and 31.12.2009 in so far as not already in force by [S.I. 2009/3000](#), arts. 2, 4, [Sch. para. 2](#)

**Changes to legislation:**

Banking Act 2009, Section 200 is up to date with all changes known to be in force on or before 23 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4(8A)(8B) inserted by [2012 c. 21 s. 96\(3\)](#)
- s. 8(2)(d) and word inserted by [2012 c. 21 s. 96\(4\)\(b\)](#)