



Banking Act 2009

2009 CHAPTER 1

PART 1

SPECIAL RESOLUTION REGIME

[^{F1}CHAPTER 3

SPECIAL RESOLUTION ACTION]

Transfer of property

[^{F1}48A Creation of liabilities

- (1) The provision that may be made by a property transfer instrument or order in reliance on section 33(1)(b), 42(3)(b), [^{F2}42A(3)(b),] 43(3)(b), 44(4)(c)[^{F3}, 44A(3)(b)], [^{F4}44D(3)(b), 44E(3)(b),] 45(3)(b) or 46(3)(b) includes provision for the creation of liabilities.
- (2) The provision may be framed by reference to an agreement which has been or is to be entered into, or anything else which has been or is to be done, by any person (including a person other than the person making the instrument or order).]

Textual Amendments

- F1** S. 48A inserted (8.4.2010) by [Financial Services Act 2010 \(c. 28\)](#), **ss. 21(2)**, 26(1)(f)
- F2** Words in s. 48A(1) inserted (1.4.2013) by [Financial Services Act 2012 \(c. 21\)](#), **ss. 97(8)**, 122(3) (with [Sch. 20](#)); [S.I. 2013/423](#), art. 3, [Sch.](#)
- F3** Word in s. 48A(1) inserted (31.12.2014) by [Financial Services \(Banking Reform\) Act 2013 \(c. 33\)](#), s. 148(5), **Sch. 2 para. 5(4)**; [S.I. 2014/3160](#), art. 2(1)(b)
- F4** Words in s. 48A(1) inserted (16.12.2016) by [The Bank Recovery and Resolution Order 2016 \(S.I. 2016/1239\)](#), arts. 1(2), **13(2)**

Changes to legislation:

Banking Act 2009, Section 48A 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.

[View outstanding changes](#)

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\(4\)\(b\)](#)