



# Financial Services and Markets Act 2023

## 2023 CHAPTER 29

### PART 6

#### MISCELLANEOUS

##### *Other miscellaneous provisions*

#### **75 Banking Act 2009: miscellaneous amendments**

- (1) The Banking Act 2009 is amended as follows.
- (2) In section 7A (effect on other group members, financial stability in UK etc)—
  - (a) in subsection (1), for “(4)(b)(ii)” substitute “(4), (4B)(b),”;
  - (b) after subsection (1) insert—

“(1A) Subsection (1) does not apply in relation to a requirement under section 3A(4) for a person to maintain (but not issue) a particular kind of bail-in liability.”
- (3) In section 83ZD (appointment of person to carry out investigations in particular cases), in subsection (3)(a), for “83ZN” substitute “83ZR”.
- (4) In section 89H (recognition of third-country resolution actions), in subsection (7), in the definition of “third-country resolution action”—
  - (a) in the words before paragraph (a), for “, third country parent undertaking or a bank, building society, credit union or investment firm” substitute “or third-country parent undertaking”;
  - (b) in paragraph (a), omit “or a bank, building society, credit union or investment firm”.
- (5) In section 182 (interpretation: “payment system”)—
  - (a) in subsection (1), after “arrangements” insert “, or proposed arrangements,”;
  - (b) in subsection (5), after “operates” insert “, or is intended to operate,”.

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*Changes to legislation: There are currently no known outstanding effects for the  
Financial Services and Markets Act 2023, Section 75. (See end of Document for details)*

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- (6) In section 244 (immunity), in subsection (2)(c) after “2000,” insert “of its functions under, or as a result of regulations made under, the Financial Services and Markets Act 2023,”.

**Commencement Information**

- I1** S. 75 not in force at Royal Assent, see [s. 86\(3\)](#)  
**I2** [S. 75](#) in force at 29.8.2023 by [S.I. 2023/779](#), [reg. 4\(ww\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Financial Services and Markets Act 2023, Section 75.