

SCHEDULE 10

MINOR AND CONSEQUENTIAL AMENDMENTS

PART II

SUBORDINATE LEGISLATION

National Savings Stock Register Regulations 1976 (S.I.1976/2012)

34. Regulation 30(1A) of the National Savings Stock Register Regulations 1976(1)(minors) shall have effect as if the reference to an authorised institution (within the meaning of the Banking Act) included a reference to a European deposit-taker.

Estate Agents (Accounts) Regulations 1981 (S.I. 1981/1520)

35. In the Schedule to the Estate Agents (Accounts) Regulations 1981 (institutions authorised for keeping of client accounts), paragraph 2 shall have effect as if it included a reference to a European deposit-taker.

Building Societies (Mobile Homes) Order 1986 (S.I. 1986/1877)

36. Article 2 of the Building Societies (Mobile Homes) Order 1986(2)(interpretation) shall have effect as if the reference to an authorised institution for the purposes of the Banking Act included a reference to a European deposit-taker.

Insolvency Regulations 1986 (S.I. 1986/1994)

37. Regulation 2 of the Insolvency Regulations 1986(3)(interpretation) shall have effect as if, in the definition of “bank”, the reference to any authorised institution in England and Wales within the meaning of the Banking Act included a reference to a European deposit-taker in England and Wales.

Money Purchase Contracted-out Schemes Regulations 1987 (S.I. 1987/1101)

38. In the Schedule to the Money Purchase Contracted-out Schemes Regulations 1987 (permitted investments), paragraph 4(4) shall have effect as if the reference to an institution authorised under Part I of the Banking Act included a reference to a European deposit-taker.

Local Government Superannuation (Scotland) Regulations 1987 (S.I. 1987/1850)

39. Regulation P6(4)(b)(iii) of the Local Government Superannuation (Scotland) Regulations 1987(5)(use and investment of superannuation fund’s moneys) shall have effect as if the reference to an institution authorised for the purposes of section 3 of the Banking Act included a reference to a European deposit-taker.

(1) Regulation 30(1A) was inserted by S.I. 1989/2046.
(2) Article 2 has been amended by S.I. 1987/1670.
(3) The definition of “bank” in regulation 2 was inserted by S.I. 1987/1959.
(4) Paragraph 4 was substituted by S.I. 1988/474.
(5) There is an amendment not relevant to these Regulations.

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*Data Protection (Regulation of Financial Services etc.)
(Subject Access Exemption) Order 1987 (S.I. 1987/1905)*

40.—(1) Schedule 1 to the Data Protection (Regulation of Financial Services etc.) (Subject Access Exemption) Order 1987⁽⁶⁾(functions designated for purposes of section 30 of Data Protection Act 1984) shall have effect as if the reference in the last but one entry relating to the Financial Services Act to any person authorised under that Act included a reference to a European institution carrying on home-regulated investment business in the United Kingdom.

(2) That Schedule shall also have effect as if at the end there were inserted the following entry—

“Banking Coordination (Second Council Directive) Regulations 1992	Functions of Bank of England and Building Societies Commission under Regulations.”
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Friendly Societies (Long Term Insurance Business) Regulations 1987 (S.I. 1987/2132)

41. Regulation 34 of the Friendly Societies (Long Term Insurance Business) Regulations 1987 (interpretation) shall have effect as if the reference to an institution authorised, or deemed to be authorised, under the Banking Act on and after the date on which section 3 of that Act comes into force included a reference to a European deposit-taker.

*Money Purchase Contracted-out Schemes Regulations
(Northern Ireland) 1987 (S.R.(N.I.) 1987/279)*

42. In the Schedule to the Money Purchase Contracted-out Schemes Regulations (Northern Ireland) 1987 (permitted investments), paragraph 4⁽⁷⁾ shall have effect as if the reference to an institution authorised under Part I of the Banking Act included a reference to a European deposit-taker.

Personal Pension Schemes (Appropriate Schemes) Regulations 1988 (S.I. 1988/137)

43. Regulation 3(3) of the Personal Pension Schemes (Appropriate Schemes) Regulations 1988⁽⁸⁾ (bodies which may establish schemes) shall have effect as if the reference to an institution authorised under Part I of the Banking Act included a reference to a European deposit-taker.

*Financial Services Act 1986 (Investment Advertisements)
(Exemptions) Order 1988 (S.I. 1988/316)*

44. Article 9 of the Financial Services Act 1986 (Investment Advertisements) (Exemptions) Order 1988⁽⁹⁾ (advertisements issued to persons sufficiently expert to understand the risks involved) shall have effect as if any reference to an authorised person (within the meaning of the Financial Services Act) included a reference to a European institution carrying on home-regulated investment business in the United Kingdom.

Banking Act 1987 (Advertisements) Regulations 1988 (S.I. 1988/645)

45. Regulation 2 of the Banking Act 1987 (Advertisements) Regulations 1988 (application of Regulations) shall have effect as if the reference in paragraph (7) to a person authorised under

⁽⁶⁾ There is an amendment not relevant to these Regulations.

⁽⁷⁾ Paragraph 4 was substituted by S.R.(N.I.) 1988/107, regulation 4, and there is another amendment not relevant to these Regulations.

⁽⁸⁾ Regulation 3(3) has been amended by S.I. 1988/830.

⁽⁹⁾ The relevant amending instrument is S.I. 1992/274.

Chapter III of Part I of the Financial Services Act included a reference to a European institution carrying on home-regulated investment business in the United Kingdom.

Banking Act 1987 (Exempt Transactions) Regulations 1988 (S.I. 1988/646)

46.—(1) In the Banking Act 1987 (Exempt Transactions) Regulations 1988—

- (a) regulation 13(**10**) (relevant debt securities); and
- (b) Schedule 3(**11**) (relevant debt securities),

shall each have effect as if the reference to an authorised institution within the meaning of the Banking Act included a reference to a European deposit-taker.

(2) Regulation 14 of those Regulations(**12**) shall have effect as if—

- (a) the reference in subsection (1) to a person who is an authorised person under the Financial Services Act included a reference to a European institution carrying on home-regulated investment business in the United Kingdom; and
- (b) the reference in paragraph (2) to such an authorised person included a reference to a European institution.

Security (Payments on Account, Overpayments and Recovery) Regulations 1988 (S.I. 1988/664)

47. Regulation 10 of the Social Security (Payments on Account, Overpayments and Recovery) Regulations 1988(**13**) (conversion of payments made in a foreign currency) shall have effect as if the reference to any institution authorised under the Banking Act included a reference to a European deposit-taker.

Public Companies (Disclosure of Interests in Shares) (Investment Management Exclusion) Regulations 1988 (S.I. 1988/706)

48. Regulation 3 of the Public Companies (Disclosure of Interests in Shares) (Investment Management Exclusion) Regulations 1988 shall have effect as if the reference in paragraph (b) to an authorised person under Chapter III of Part I of the Financial Services Act included a reference to a European institution carrying on home-regulated investment business in the United Kingdom.

Services Act 1986 (Investment Advertisements) (Exemptions) (No. 2) Order 1988 (S.I. 1988/716)

49. Article 7 of the Financial Services Act 1986 (Investment Advertisements) (Exemptions) (No. 2) Order 1988 (advertisements issued to persons of particular kinds) shall have effect as if the reference in paragraph (1) to an authorised person (within the meaning of the Financial Services Act) included a reference to a European institution carrying on home-regulated investment business in the United Kingdom.

Building Societies (Supplementary Capital) Order 1988 (S.I. 1988/777)

50. In Part III of the Schedule to the Building Societies (Supplementary Capital) Order 1988 (interpretation), paragraph 4 shall have effect as if the reference to an authorised institution for the purposes of the Banking Act included a reference to a European deposit-taker.

(10) Regulation 13 was substituted by S.I. 1990/20.

(11) Schedule 3 was inserted by S.I. 1989/465, and then substituted by S.I. 1990/20.

(12) There are amendments not relevant to these Regulations.

(13) Regulation 10 has been amended by S.I. 1988/688.

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Control of Misleading Advertisements Regulations 1988 (S.I. 1988/915)

51. Regulation 3 of the Control of Misleading Advertisements Regulations 1988 (application) shall have effect as if—

- (a) the reference in paragraph (a) to an authorised person (within the meaning of the Financial Services Act) included a reference to a European institution carrying on homeregulated investment business in the United Kingdom; and
- (b) the reference in that paragraph to the authorised person in question included a reference to the European institution in question.

Personal Pension Schemes (Appropriate Schemes) Regulations (Northern Ireland) 1988 (S.R.(N.I.) 1988/34)

52. Regulation 3(3)(c) of the Personal Pension Schemes (Appropriate Schemes) Regulations (Northern Ireland) 1988⁽¹⁴⁾ (bodies which may establish schemes) shall have effect as if the reference to an institution authorised under Part I of the Banking Act included a reference to a European deposit-taker.

Security (Payments on Account, Overpayments and Recovery) Regulations (Northern Ireland) 1988 (S.R.(N.I.) 1988/142)

53. Regulation 10 of the Social Security (Payments on Account, Overpayments and Recovery) Regulations (Northern Ireland) 1988 (conversion of payments made in a foreign currency) shall have effect as if the reference to any institution authorised under the Banking Act included a reference to a European deposit-taker.

Consumer Credit (Exempt Agreements) Order 1989 (S.I. 1989/869)

54. Article 2(2) of the Consumer Credit (Exempt Agreements) Order 1989 (exemption of agreements secured on land) shall have effect as if the reference to an authorised institution under the Banking Act included a reference to a European deposit-taker.

Consumer Credit (Advertisements) Regulations 1989 (S.I.1989/1125)

55. Regulation 2(3) of the Consumer Credit (Advertisements) Regulations 1989 (general rules) shall have effect as if the reference to an institution authorised under the Banking Act included a reference to a European deposit-taker.

Consumer Credit (Quotations) Regulations 1989 (S.I. 1989/1126)

56. Regulation 2(5) of the Consumer Credit (Quotations) Regulations 1989 (form and content of quotations) shall have effect as if the reference to an institution authorised under the Banking Act included a reference to a European deposit-taker.

Collection Fund (England) Regulations 1989 (S.I. 1989/2336)

57. Schedule 2 to the Collection Fund (England) Regulations 1989⁽¹⁵⁾ (prescribed investments) shall have effect as if the reference to an institution authorised under Part I of the Banking Act included a reference to a European deposit-taker.

⁽¹⁴⁾ Regulation 3(3)(c) has been amended by S.R.(N.I.) 1988/176.

⁽¹⁵⁾ There are amendments not relevant to these Regulations.

Collection Fund (Wales) Regulations 1989 (S.I. 1989/2363)

58. Schedule 2 to the Collection Fund (Wales) Regulations 1989(16) (prescribed investments) shall have effect as if the reference to an institution authorised under Part I of the Banking Act included a reference to a European deposit-taker.

Local Authorities (Capital Finance) (Approved Investments) Regulations 1990 (S.I. 1990/426)

59. Regulation 2 of the Local Authorities (Capital Finance) (Approved Investments) Regulations 1990(17) (approved investments) shall have effect as if the reference to an authorised institution within the meaning of the Banking Act included a reference to a European deposit-taker.

Building Societies (Designation of Qualifying Bodies) Order 1990 (S.I. 1990/1434)

60. In Part II of the Schedule to the Building Societies (Designation of Qualifying Bodies) Order 1991 (interpretation, paragraph 7 shall have effect as if each reference to an authorised institution for the purposes of the Banking Act included a reference to a European deposit-taker.

Building Societies (Designation of Qualifying Bodies) Order 1991 (S.I. 1991/357)

61. In Part II of the Schedule to the Building Societies (Designation of Qualifying Bodies) Order 1991 (interpretation, paragraph 4(2)(c) shall have effect as if the reference to an authorised institution for the purposes of the Banking Act included a reference to a European deposit-taker.

Building Societies (Designated Capital Resources) (Permanent Interest Bearing Shares) Order 1991 (S.I. 1991/702)

62. Article 4(4) of the Building Societies (Designated Capital Resources) (Permanent Interest Bearing Shares) Order 1991 (interpretation) shall have effect as if the reference to institutions authorised for the purposes of the Banking Act included a reference to European deposit-takers.

Building Societies (Designation of Qualifying Bodies) (No.2) Order 1991 (S.I. 1991/2581)

63. In Part II of the Schedule to the Building Societies (Designation of Qualifying Bodies) (No.2) Order 1991 (interpretation, paragraph 3(2) shall have effect as if the reference to an authorised institution for the purposes of the Banking Act included a reference to a European deposit-taker.

Insolvency Regulations (Northern Ireland) 1991 (S.R.(N.I.) 1991/388)

64. Regulation 2 of the Insolvency Regulations (Northern Ireland) 1991 (interpretation) shall have effect as if, in the definition of “bank”, the reference to any authorised institution in Northern Ireland within the meaning of the Banking Act included a reference to a European deposit-taker in Northern Ireland.

Building Societies (Designation of Qualifying Bodies) Order 1992 (S.I. 1992/649)

65. In Part II of the Schedule to the Building Societies (Designation of Qualifying Bodies) Order 1992 (interpretation, paragraph 6(2) shall have effect as if the reference to an authorised institution for the purposes of the Banking Act included a reference to a European deposit-taker.

(16) There are amendments not relevant to these Regulations.

(17) There are amendments not relevant to these Regulations.

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Building Societies (Designation of Qualifying Bodies) (No.2) Order 1992 (S.I. 1992/650)

66. In Part II of the Schedule to the Building Societies (Designation of Qualifying Bodies) (No.2) Order 1992 (interpretation, paragraph 3(2) shall have effect as if the reference to an authorised institution for the purposes of the Banking Act included a reference to a European deposit-taker.

Building Societies (Designation of Qualifying Bodies) (No.3) Order 1992 (S.I. 1992/651)

67. In Part II of the Schedule to the Building Societies (Designation of Qualifying Bodies) (No.3) Order 1992 (interpretation, paragraph 4(2) shall have effect as if the reference to an authorised institution for the purposes of the Banking Act included a reference to a European deposit-taker.

Building Societies (Designation of Qualifying Bodies) (No.4) Order 1992 (S.I. 1992/652)

68. In Part II of the Schedule to the Building Societies (Designation of Qualifying Bodies) (No.4) Order 1992 (interpretation, paragraph 6(2) shall have effect as if the reference to an authorised institution for the purposes of the Banking Act included a reference to a European deposit-taker.