
STATUTORY INSTRUMENTS

2001 No. 3649

The Financial Services and Markets Act 2000
(Consequential Amendments and Repeals) Order 2001

PART 7

ENACTMENTS RELATING TO SCOTLAND

CHAPTER I

primary legislation

Bankruptcy (Scotland) Act 1985 (c. 66)

Petitions for sequestration under Financial Services and Markets Act 2000

224. In section 10(1)(c)(1) of the Bankruptcy (Scotland) Act 1985 (concurrent proceedings for sequestration or analogous remedies), for the words “section 72 of the Financial Services Act 1986” substitute “section 372 of the Financial Services and Markets Act 2000”.

Meaning of “appropriate bank or institution”

225. In section 73 of the Bankruptcy (Scotland) Act 1985 (interpretation) for the definition of “appropriate bank or institution”(2) substitute—

““appropriate bank or institution” means—

- (a) the Bank of England,
- (b) a person who has permission under Part 4 of the Financial Services and Markets Act 2000 to accept deposits,
- (c) an EEA firm of the kind mentioned in paragraph 5(b) of Schedule 3 to that Act which has permission under paragraph 15 of that Schedule (as a result of qualifying for authorisation under paragraph 12 of that Schedule) to accept deposits, or
- (d) a person who is exempt from the general prohibition in respect of accepting deposits as a result of an exemption order made under section 38(1) of that Act,

and the expressions in this definition must be read with section 22 of the Financial Services and Markets Act 2000, any relevant order under that section and Schedule 2 to that Act;”.

(1) Section 10(1)(c) was substituted by the Financial Services Act 1986 (c. 60, S.I.F 69) section 212(2), Schedule 16, paragraph 29.
(2) The definition of “appropriate bank or institution” was substituted by the Banking Act 1987 (c. 22, S.I.F 10), section 108(1), Schedule 6, paragraph 20.