

SCHEDULE 1

Regulations 2 and 3

MODIFICATIONS

**Table: Modifications to Part 3 of the Act**

<i>Section and subject</i>	<i>Modification or comment</i>
138 Objective 1: supporting private sector purchaser or bridge bank	<p>After section 138, insert—</p> <p><b>“138A Objective 1: Application where more than one property transfer instrument is made—</b></p> <p>(1) Where more than one property transfer instrument is made and business is transferred from a bank to more than one transferee, Objective 1 is to be pursued in relation to each private sector purchaser or bridge bank who, in the opinion of the Bank of England, is to be supplied with such services and facilities as are required to enable it to operate effectively.</p> <p>(2) Where the bank administrator considers that the supply to one private sector purchaser or bridge bank of services and facilities may prejudice the supply of services and facilities to another transferee, the bank administrator—</p> <ul style="list-style-type: none"> <li>(a) must consult with the Bank of England, and the Bank of England may give directions to the bank administrator regarding the supply of services and facilities to transferees,</li> <li>(b) shall pursue Objective 1 in respect of each transferee in so far as is reasonably practicable in the circumstances, and</li> <li>(c) may apply to the court for directions under paragraph 63 of Schedule B1 to the Insolvency Act 1986 (applied by section 145 below) if unsure whether to pursue a proposed action.”. </li></ul>
139 Objective 1: duration	<p>In subsections (1) and (3) for “with the”, substitute “with any”.</p> <p>After subsection (1), insert—</p> <p>“(1A) The obligations of Objective 1 cease to apply in respect of a particular private sector purchaser or bridge bank if the Bank of England notifies the bank administrator that the residual bank is no longer required in connection with that private sector purchaser or bridge bank.”.</p> <p>After subsection (2), add—</p> <p>“(2A) A bank administrator who thinks that Objective 1 is no longer required in respect of a particular private sector purchaser or bridge bank may apply to court for directions under paragraph 63 of Schedule B1 to the Insolvency Act (applied by section 145</p>

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Section and subject</i>	<i>Modification or comment</i>
	below); and the court may direct the Bank of England to consider whether to give notice under subsection (1A) above.”.
143 Grounds for applying	<p>In subsection (2) for “a property transfer instrument” substitute “one or more property transfer instruments”.</p> <p>In subsection (3)(b) after “property transfer instrument” add “or instruments”.</p>
150 Bridge bank to private sector purchaser	<p>For subsection (1)(a), substitute—</p> <p>“(a) notice under section 139(1A) that the residual bank is no longer required in connection with a bridge bank, and”.</p> <p>In subsection (2) for “An Objective 1 Achievement Notice”, substitute “A notice under section 139(1A)”.</p> <p>For subsection (5), substitute—</p> <p>“(5) When the Bank of England gives a notice to the bank administrator that Objective 1 is no longer required to be pursued in respect of a commercial purchaser who has acquired all or part of the business of the bridge bank, the Bank of England may give the bank administrator an Objective 1 Achievement Notice only if the residual bank is no longer required in connection with any private sector purchaser or bridge bank, and section 139 and other provisions of this Part which refer to the giving of an Objective 1 Achievement Notice shall have effect.”.</p>