

**2017 No. 43 (C. 4)**

**BANKS AND BANKING**

**The Bank of England and Financial Services Act 2016  
(Commencement No. 4 and Saving Provision) Regulations 2017**

*Made* - - - - *20th January 2017*

The Treasury, in exercise of the powers conferred by section 41(3) and (4) of the Bank of England and Financial Services Act 2016(a), make the following Regulations:

**Citation and interpretation**

**1.**—(1) These Regulations may be cited as the Bank of England and Financial Services Act 2016 (Commencement No. 4 and Saving Provision) Regulations 2017.

(2) In these Regulations—

“the Act” means the Bank of England and Financial Services Act 2016; and

“the appointed day” means 1st March 2017.

**Appointed day for the coming into force of certain provisions of the Act**

**2.** The following provisions of the Act come into force on the appointed day—

- (a) section 1 (membership of court of directors) in so far as not already in force;
- (b) section 11 (examinations and reviews) in so far as not already in force;
- (c) section 12 (Bank to act as Prudential Regulation Authority);
- (d) section 13 (Prudential Regulation Committee) and Schedule 1;
- (e) section 14 (accounts relating to Bank’s functions as Prudential Regulation Authority);
- (f) section 15 (transfer of property etc to Bank);
- (g) section 16 (amendments relating to Part 1) for the purpose of introducing Schedule 2 to the Act in so far as not already in force except for paragraph 50(6) of that Schedule; and
- (h) section 17 (saving and transitional provision relating to Part 1) for the purpose of introducing Schedule 3 to the Act in so far as not already in force.

**Appointed day for the coming into force of paragraph 50(6) of Schedule 2 to the Act and saving provision**

**3.**—(1) Subject to paragraph (2), section 16 (amendments relating to Part 1) comes into force on the appointed day for the purpose of introducing paragraph 50(6) of Schedule 2 to the Act.

(2) The repeal of paragraphs 22 and 23 of Schedule 1ZB to the Financial Services and Markets Act 2000(a) (“FSMA”) by paragraph 50(6) of Schedule 2 to the Act does not apply for the purpose of—

- (a) preparing, sending and laying the accounts of the company for the accounting period ending 28th February 2017 or such other date as the directors may determine, and
- (b) the examination, certification and report on those accounts by the Comptroller and Auditor General.

(3) For the purpose of paragraph (2)—

- (a) references to the “PRA” in paragraphs 22 and 23 of Schedule 1ZB to FSMA are to be read as references to the company, and
- (b) “the company” has the meaning given in paragraph 1 of Schedule 3 to the Act.

*Stephen Barclay*  
*David Evennett*

20th January 2017

Two of the Lords Commissioners of Her Majesty’s Treasury

### **EXPLANATORY NOTE**

*(This note is not part of these Regulations)*

These Regulations bring into force on 1st March 2017 certain provisions of the Bank of England and Financial Services Act 2016 (c. 14) (“the Act”). These are the fourth commencement regulations made under the Act.

Regulation 3 makes savings provision in relation to the audit of the final annual accounts of the company known as the Prudential Regulation Authority for the period ending 28th February 2017 or such other date as the directors may determine in accordance with section 390 of the Companies Act 2006 (c. 46).

An impact assessment has not been published for these Regulations as they have no impact on the costs to business or the voluntary sector independent of the provisions these Regulations bring into force. An impact assessment has been published in relation to the Act and copies can be obtained from HM Treasury, 1 Horse Guards Road, London, SW1A 2HQ or at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/493716/BoE\\_Bill\\_Impact\\_Assessment\\_13\\_Jan\\_2016.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/493716/BoE_Bill_Impact_Assessment_13_Jan_2016.pdf).

### **NOTE AS TO EARLIER COMMENCEMENT REGULATIONS**

*(This note is not part of these Regulations)*

The following provisions of the Act have been brought into force by commencement regulations made before the date of these Regulations:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1 (partially)	6th July 2016	2016/627
Sections 2 to 10	6th July 2016	2016/627
Section 11 (for the purpose of inserting sections 7D, 7E, 7G and 7H in the Bank of England Act 1998 (c. 11))	6th July 2016	2016/627

(a) 2000 c. 8. Schedule 1ZB (together with Schedule 1ZA) substituted for Schedule 1 to the Financial Services and Markets Act 2000 (c. 8) by section 6(2) of, and Schedule 3 to, the Financial Services Act 2012 (c. 21).

Section 16 (partially)	6th July 2016	2016/627
Section 17 (partially)	6th July 2016	2016/627
Sections 18 to 20	6th July 2016	2016/627
Sections 22 to 24	6th July 2016	2016/627
Section 25 (partially)	10th May 2016	2016/569
Section 25 (in so far as not already in force)	6th July 2016	2016/627
Sections 26 to 29	6th July 2016	2016/627
Section 32	13th May 2016	2016/579
Sections 33 to 36	6th July 2016	2016/627
Section 38	6th July 2016	2016/627
Schedule 2, paragraphs 1, 5 to 7, 8(1), (2)(a) and (b), (3)(a), (5)(a)(ii) and (6), 9(1), (2) and (4), 11, 15 to 18, 20(1), (2) and (4) to (7), 21(1), (2) and (4) to (7) and 32	6th July 2016	2016/627
Schedule 2, paragraph 68 (partially)	6th July 2016	2016/627
Schedule 3, paragraph 1 (partially)	6th July 2016	2016/627
Schedule 3, paragraph 6	6th July 2016	2016/627

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