
STATUTORY INSTRUMENTS

2022 No. 838

The Financial Services Act 2021 (Prudential Regulation of Credit Institutions and Investment Firms) (Consequential Amendments and Miscellaneous Provisions) Regulations 2022

PART 2

Amendment of Primary Legislation, Scottish Legislation and Northern Ireland Legislation

Bankruptcy (Scotland) Act 2016

8.—(1) Schedule 3 to the Bankruptcy (Scotland) Act 2016⁽¹⁾ is amended as follows.

(2) In paragraph 8 (other deposits)—

(a) in sub-paragraph (a)—

(i) for “non-EEA” substitute “non-UK”;

(ii) for “an EEA state” substitute “the United Kingdom”;

(b) in sub-paragraph (b) for “an EEA” substitute “a UK”.

(3) In paragraph 13 (meaning of “eligible deposit”)—

(a) for sub-paragraph (3)(b) substitute—

“(b) any micro, small or medium-sized enterprise, as defined with regard to the annual turnover criterion referred to in Article 2(1) of the Annex to Commission Recommendation 2003/361/EC.”;

(b) for sub-paragraphs (4)(b) and (c) substitute—

“(b) “UK branch” means a branch, as defined in Article 4(1)(17) of the capital requirements regulation, which is established in the United Kingdom, and

(c) “non-UK branch” means a branch, as so defined, which is established outside the United Kingdom.”;

(c) for sub-paragraph (5) substitute—

“(5) In sub-paragraph (4)(a) and (b), “the capital requirements regulation” means [Regulation \(EU\) No. 575/2013](#) of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending [Regulation \(EU\) No. 648/2012](#).”.