

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 (Text with EEA relevance)

[^{X1}PART ONE

GENERAL PROVISIONS

[^{X1}TITLE I

SUBJECT MATTER, SCOPE AND DEFINITIONS

[^{F1} Article 1

Scope

This Regulation lays down uniform rules concerning general prudential requirements that [^{F2}CRR firms, financial holding companies set up in the United Kingdom, and mixed financial holding companies set up in the United Kingdom] shall comply with in relation to the following items:

- (a) own funds requirements relating to entirely quantifiable, uniform and standardised elements of credit risk, market risk, [^{F3}operational risk and settlement risk];
- (b) ^{F4} ...
- (c) ^{F4} ...
- (d) ^{F4} ...
- (e) ^{F4} ...

This Regulation lays down uniform rules concerning the own funds and eligible liabilities requirements that resolution entities that are global systemically important institutions (G-SIIs) or part of G-SIIs and material subsidiaries of [^{F5}non-UK] G-SIIs shall comply with.

^{F6}

Textual Amendments

- F1** Substituted by Regulation (EU) 2019/876 of the European Parliament and of the Council of 20 May 2019 amending Regulation (EU) No 575/2013 as regards the leverage ratio, the net stable funding ratio, requirements for own funds and eligible liabilities, counterparty credit risk, market risk, exposures to central counterparties, exposures to collective investment undertakings, large exposures, reporting and disclosure requirements, and Regulation (EU) No 648/2012 (Text with EEA relevance).
- F2** Words in Art. 1 substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **9(2)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in Art. 1(a) substituted (1.1.2022) by The Financial Services Act 2021 (Prudential Regulation of Credit Institutions and Investment Firms) (Consequential Amendments and Miscellaneous Provisions) Regulations 2021 (S.I. 2021/1376), regs. 1(3), **25(2)(a)**

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- F4 Arts. 1(b)-(e) omitted (1.1.2022) by virtue of The Financial Services Act 2021 (Prudential Regulation of Credit Institutions and Investment Firms) (Consequential Amendments and Miscellaneous Provisions) Regulations 2021 (S.I. 2021/1376), regs. 1(3), 25(2)(b)
F5 Word in Art. 1 substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), 9(3); 2020 c. 1, Sch. 5 para. 1(1)
F6 Words in Art. 1 omitted (31.12.2020) by virtue of The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), 9(4); 2020 c. 1, Sch. 5 para. 1(1)

Article 2

Supervisory powers

1 For the purpose of ensuring compliance with this Regulation, competent authorities shall have the powers and shall follow the procedures set out in [F7 Directive 2013/36/EU UK law] and in this Regulation.

2 For the purpose of ensuring compliance with this Regulation, [F8 the resolution authority] shall have the powers and shall follow the procedures set out in [F9 the United Kingdom legislation that implemented Directive 2014/59/EU, as amended from time to time,] and in this Regulation.

3 For the purpose of ensuring compliance with the requirements concerning own funds and eligible liabilities, competent authorities and [F8 the resolution authority] shall cooperate.

F10 4]

Textual Amendments
F1 Substituted by Regulation (EU) 2019/876 of the European Parliament and of the Council of 20 May 2019 amending Regulation (EU) No 575/2013 as regards the leverage ratio, the net stable funding ratio, requirements for own funds and eligible liabilities, counterparty credit risk, market risk, exposures to central counterparties, exposures to collective investment undertakings, large exposures, reporting and disclosure requirements, and Regulation (EU) No 648/2012 (Text with EEA relevance).
F7 Words in Art. 2(1) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), 10(3); 2020 c. 1, Sch. 5 para. 1(1)
F8 Words in Art. 2 substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), 10(2); 2020 c. 1, Sch. 5 para. 1(1)
F9 Words in Art. 2(2) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), 10(4); 2020 c. 1, Sch. 5 para. 1(1)
F10 Art. 2(4) omitted (31.12.2020) by virtue of The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), 10(5); 2020 c. 1, Sch. 5 para. 1(1)

Article 3

Application of stricter requirements by institutions

This Regulation shall not prevent institutions from holding own funds and their components in excess of, or applying measures that are stricter than those required by this Regulation.

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Article 4

Definitions

- 1 For the purposes of this Regulation, the following definitions shall apply:
- (1) ‘credit institution’ means an undertaking the business of which is to take deposits or other repayable funds from the public and to grant credits for its own account;
- (2) ‘investment firm’ means a person as defined in [^{F11}paragraph 1A of Article 2 of Regulation 600/2014/EU, as that Article has effect subject to the requirements imposed by the United Kingdom legislation that implemented Directive 2014/65/EU, as amended from time to time], [^{F12}other than a credit institution];
- (2A) [^{F13}‘CRR firm’ means a person that satisfies the following conditions—
- (a) it is an authorised person within the meaning of section 31(1)(a) of FSMA that—
- (i) is a credit institution which has permission under Part 4A of FSMA to carry on the regulated activity of accepting deposits; or
- (ii) is [^{F14}a designated investment firm];
- (b) its registered office, or if it has no registered office, its head office, is in the United Kingdom; and
- (c) it is not a credit union within the meaning of the Credit Unions Act 1979 or the Credit Unions (Northern Ireland) Order 1985, or a friendly society within the meaning of section 417(1) of FSMA;
- and for the purposes of this definition, ‘regulated activity’ has the meaning in section 22 of FSMA, and ‘accepting deposits’ has the meaning in Regulation 5 of the Regulated Activities Order;
- (2AA) [^{F15}‘designated investment firm’ means an investment firm that is for the time being designated by the PRA under article 3 of the Financial Services and Markets Act 2000 (PRA-regulated Activities) Order 2013 (S.I. 2013/556), but is not—
- (a) a commodity and emission allowance dealer,
- (b) a collective investment undertaking, or
- (c) an insurance undertaking;
- (2AB) ‘FCA investment firm’ means an investment firm that—
- (a) is an authorised person within the meaning of section 31(1)(a) of FSMA, and
- (b) is not a designated investment firm;]
- (2B) ‘Solvency II excluded operations’ has the meaning given in the PRA rulebook;]
- (3) ‘institution’ means a credit institution or [^{F16}a designated investment firm];
- (4) ^{F17}...

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- (5) ‘insurance undertaking’ means insurance undertaking as defined in [F18]section 417 of FSMA];
- (6) ‘reinsurance undertaking’ means reinsurance undertaking as defined in [F19]section 417 of FSMA];
- (6A) [F20]‘pure reinsurer’ has the meaning given in the PRA rulebook;]
- (7) [F21]‘collective investment undertaking’ or ‘CIU’ means a UCITS as defined in [F21]section 236A of FSMA , or a UK AIF, an EEA AIF, a Gibraltar AIF, or a third country AIF within the meaning of regulation 2(1) of the Alternative Investment Fund Managers Regulations 2013];]
- (8) ‘public sector entity’ means a non-commercial administrative body responsible to central governments, regional governments or local authorities, or to authorities that exercise the same responsibilities as regional governments and local authorities, or a non-commercial undertaking that is owned by or set up and sponsored by central governments, regional governments or local authorities, and that has explicit guarantee arrangements, and may include self-administered bodies governed by law that are under public supervision;
- (9) [F22]‘management body’ means an institution's body, which is appointed in accordance with national law, which is empowered to set the institution's strategy, objectives and overall direction, and which oversees and monitors management decision-making, and includes the persons who effectively direct the business of the institution;]
- (9A) [F23]‘management body in its supervisory function’ means the management body acting in its role of overseeing and monitoring management decision-making;]
- (10) [F24]‘senior management’ means those natural persons who exercise executive functions within an institution and who are responsible, and accountable to the management body, for the day-to-day management of the institution;]
- (11) [F25]‘systemic risk’ means a risk of disruption in the financial system of the United Kingdom with the potential to have serious negative consequences for the financial system and the real economy of the United Kingdom;]
- (12) [F26]‘model risk’ means the potential loss an institution may incur as a consequence of decisions that could be principally based on the output of internal models due to errors in the development, implementation or use of such models;]
- (13) ‘originator’ means an originator as defined in point (3) of Article 2 of Regulation (EU) 2017/2402 ⁽¹⁾;
- (14) ‘sponsor’ means a sponsor as defined in point (5) of Article 2 of Regulation (EU) 2017/2402;
- (14a) [F27]‘original lender’ means an original lender as defined in point (20) of Article 2 of Regulation (EU) 2017/2402;]
- (15) [F28]‘parent undertaking’ means—
- (a) a parent undertaking within the meaning of section 1162 of the Companies Act 2006; or
 - (b) for the purposes of Directive 2013/36/EU UK law which implemented Section II of Chapters 3 and 4 of Title 7 and Title 8, and for the purposes of Part 5 of this Regulation—

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- (i) a parent undertaking within the meaning of section 1162 of the Companies Act 2006, apart from the meaning given in subsection (4), or
- (ii) an undertaking which effectively exercises a dominant influence over another undertaking;

where section 1162(5) of the Companies Act 2006 applies to parent undertakings falling within point (b)(ii) as it applies to parent undertakings falling within section 1162;]

(16) [F²⁹‘subsidiary’ means—

- (a) a subsidiary undertaking within the meaning of section 1162 of the Companies Act 2006; or
- (b) for the purposes of Directive 2013/36/EU UK law which implemented Section II of Chapters 3 and 4 of Title 7 and Title 8, and for the purposes of Part 5 of this Regulation—
 - (i) a subsidiary undertaking within the meaning of section 1162 of the Companies Act 2006, apart from the meaning given in subsection (4), or
 - (ii) an undertaking over which another undertaking effectively exercises a dominant influence;

where section 1162(5) of the Companies Act 2006 applies to subsidiaries falling within point (b)(ii) as it applies to subsidiaries falling within section 1162;]

(17) ‘branch’ means a place of business which forms a legally dependent part of an institution and which carries out directly all or some of the transactions inherent in the business of institutions;

(18) ‘ancillary services undertaking’ means an undertaking the principal activity of which consists of owning or managing property, managing data-processing services, or a similar activity which is ancillary to the principal activity of one or more institutions;

(19) [F³⁰‘asset management company’ means—

- (a) a person who has permission under Part 4A of FSMA to carry on the regulated activity of managing a UK UCITS (as specified in article 51ZA of the Regulated Activities Order), or would require that permission if its registered office were located in the United Kingdom;
- (b) a person who has permission under Part 4A of FSMA to carry on the regulated activity of managing an AIF (as specified in article 51ZC of the Regulated Activities Order), or would require that permission if its registered office were located in the United Kingdom; or
- (c) a person who is registered as a small AIFM within the meaning of regulation 9 of the Alternative Investment Fund Managers Regulations 2013 under Part 3 of those Regulations, or would require that permission if its registered office were located in the United Kingdom; including, unless otherwise provided, a third-country entity that carries out similar activities and that is subject to the laws of a third country which applies supervisory

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and regulatory requirements at least equivalent to those applied in the United Kingdom;]

- (20) [^{F1}‘financial holding company’ means a financial institution, the subsidiaries of which are exclusively or mainly institutions or financial institutions, and which is not a mixed financial holding company; the subsidiaries of a financial institution are mainly institutions or financial institutions where at least one of them is an institution and where more than 50 % of the financial institution's equity, consolidated assets, revenues, personnel or other indicator considered relevant by the competent authority are associated with subsidiaries that are institutions or financial institutions;]
- (21) [^{F31}‘mixed financial holding company’ has the meaning given in regulation 1(2) of the Financial Conglomerates and Other Financial Groups Regulations 2004;]
- (22) ‘mixed activity holding company’ means a parent undertaking, other than a financial holding company or an institution or a mixed financial holding company, the subsidiaries of which include at least one institution;
- (22A) [^{F32} ‘investment holding company’ means a financial institution which is not a financial holding company and whose subsidiaries—
- (a) are exclusively or mainly investment firms or financial institutions, and
 - (b) include at least one investment firm;]
- (23) ‘third-country insurance undertaking’ means third-country insurance undertaking as defined in [^{F33}the Solvency 2 Regulations 2015];
- (24) ‘third-country reinsurance undertaking’ means third-country reinsurance undertaking as defined in [^{F34}the Solvency 2 Regulations 2015];
- (25) [^{F35}... third-country investment firm’ means a firm meeting all of the following conditions:
- (a) if it were established within the [^{F36}United Kingdom], it would be covered by the definition of an investment firm;
 - (b) it is authorised in a third country;
 - (c) it is subject to and complies with prudential rules considered by the competent authorities at least as stringent as those laid down in this Regulation or in [^{F37}Directive 2013/36/EU UK law];
- (25A) [^{F38}‘third country’ means a country or territory outside the United Kingdom];
- (26) [^{F1}‘financial institution’ means an undertaking other than an institution and other than a pure industrial holding company, the principal activity of which is to acquire holdings or to pursue one or more of the [^{F39}Annex 1] activities listed in points 2 to 12 and point 15 ^{F40}..., including [^{F41}an investment firm,] a financial holding company, a mixed financial holding company, [^{F42}an investment holding company,][^{F43}an authorised payment institution within the meaning of regulation 2(1) of the Payment Services Regulations 2017], and an asset management company, but excluding insurance holding companies and mixed-activity insurance holding companies as defined [^{F44}in the PRA rulebook];]
- (26A) [^{F45}‘Annex 1 activities’ means the list of activities set out in Annex 1 to Directive 2013/36/EU as it had effect immediately before IP completion day, with the following amendments—

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- (a) omit the heading;
 - (b) in point 4 for the words “Article 4(3) of Directive 2007/64/EC” substitute “regulation 2 of the Payment Services Regulations 2017”;
 - (c) after point 15—
 - (i) for “Sections A and B of Annex I to Directive 2004/39/EC” substitute “Parts 3 and 3A of Schedule 2 to the Regulated Activities Order”;
 - (ii) for “Section C of Annex I of that Directive” substitute “Part 1 of Schedule 2 to the Regulated Activities Order”;
 - (iii) omit the words from “, are subject to” to the end;]
- (27) ‘financial sector entity’ means any of the following:
- (a) an institution;
 - (b) a financial institution;
 - (c) an ancillary services undertaking included in the consolidated financial situation of an institution;
 - (d) an insurance undertaking;
 - (e) a third-country insurance undertaking;
 - (f) a reinsurance undertaking;
 - (g) a third-country reinsurance undertaking;
 - (h) an insurance holding company as defined in [^{F46}the Solvency 2 Regulations 2015];
 - (k) [^{F47}a non-directive firm as defined in the PRA Rulebook unless that non-directive firm is only a non-directive firm because either—
 - (i) the firm's Part 4A permission includes a requirement that it may only carry on Solvency II excluded operations; or
 - (ii) the firm is a pure reinsurer which ceased to conduct new reinsurance contracts before 10 December 2007;]
 - (l) a third-country undertaking with a main business comparable to any of the entities referred to in points (a) to (k);
- (28) [^{F48}‘UK parent institution’ means an institution in the United Kingdom which has an institution, a financial institution or an ancillary services undertaking as a subsidiary or which holds a participation in an institution, financial institution or ancillary services undertaking, and which is not itself a subsidiary of another institution authorised in the United Kingdom, or of a financial holding company or mixed financial holding company set up in the United Kingdom;]
- (29) ^{F49} ...
- (29a) [^{F50}‘UK parent investment firm’ means a parent undertaking in the United Kingdom that is an investment firm;]

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- (29b) ^{F51} ...
- (29c) [^{F52}‘UK parent credit institution’ means a UK parent institution that is a credit institution within the meaning of point (1) of this paragraph;]
- (29d) ^{F53} ...
- (30) ‘^{F54}UK parent financial holding company]’ means a financial holding company which is not itself a subsidiary of an institution authorised in the [^{F55}United Kingdom], or of a financial holding company or mixed financial holding company set up in the [^{F55}United Kingdom];
- (31) ^{F56} ...
- (32) ‘^{F57}UK parent mixed financial holding company]’ means a mixed financial holding company which is not itself a subsidiary of an institution authorised in [^{F58}the United Kingdom], or of a financial holding company or mixed financial holding company set up in [^{F59}the United Kingdom];
- (33) ^{F60} ...
- (34) ‘central counterparty’ or ‘CCP’ means a CCP as defined in point (1) of Article 2 of Regulation (EU) No 648/2012;
- (35) [^{F61}‘participation’ means rights in the capital of other undertakings, whether or not represented by certificates, which, by creating a durable link with those undertakings, are intended to contribute to the activities of the undertaking which holds those rights, or the ownership, direct or indirect, of 20% or more of the voting rights or capital of an undertaking;]
- (36) ‘qualifying holding’ means a direct or indirect holding in an undertaking which represents 10 % or more of the capital or of the voting rights or which makes it possible to exercise a significant influence over the management of that undertaking;
- (37) ‘control’ means the relationship between a parent undertaking and a subsidiary, as defined in Article 1 of Directive 83/349/EEC, or [^{F62}the accounting standards to which an institution is subject under section 403(1) of the Companies Act 2006], or a similar relationship between any natural or legal person and an undertaking;
- (38) ‘close links’ means a situation in which two or more natural or legal persons are linked in any of the following ways:
- (a) participation in the form of ownership, direct or by way of control, of 20 % or more of the voting rights or capital of an undertaking;
 - (b) control;
 - (c) a permanent link of both or all of them to the same third person by a control relationship;
- (38A) [^{F63}‘common management relationship’ means a relationship between an undertaking (“U1”) and one or more other undertakings (“U2”) which satisfies the following conditions—
- (a) U1 and U2 are not connected in the manner described in section 1162 of the Companies Act 2006; and
 - (b) either—

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- (i) U1 and U2 are managed on a unified basis pursuant to a contract with U1, or provisions in U2's memorandum or articles of association; or
 - (ii) the administrative, management or supervisory bodies of U2 consist, for the major part, of the same persons in office as U1, during the financial year of U1 for which it is being decided whether such a relationship exists;]
- (39) 'group of connected clients' means any of the following:
- (a) two or more natural or legal persons who, unless it is shown otherwise, constitute a single risk because one of them, directly or indirectly, has control over the other or others;
 - (b) two or more natural or legal persons between whom there is no relationship of control as described in point (a) but who are to be regarded as constituting a single risk because they are so interconnected that, if one of them were to experience financial problems, in particular funding or repayment difficulties, the other or all of the others would also be likely to encounter funding or repayment difficulties.
- Notwithstanding points (a) and (b), where a central government has direct control over or is directly interconnected with more than one natural or legal person, the set consisting of the central government and all of the natural or legal persons directly or indirectly controlled by it in accordance with point (a), or interconnected with it in accordance with point (b), may be considered as not constituting a group of connected clients. Instead the existence of a group of connected clients formed by the central government and other natural or legal persons may be assessed separately for each of the persons directly controlled by it in accordance with point (a), or directly interconnected with it in accordance with point (b), and all of the natural and legal persons which are controlled by that person according to point (a) or interconnected with that person in accordance with point (b), including the central government. The same applies in cases of regional governments or local authorities to which Article 115(2) applies^[F1].
- ^[F64]Two or more natural or legal persons who fulfil the conditions set out in point (a) or (b) because of their direct exposure to the same CCP for clearing activities purposes are not considered as constituting a group of connected clients;]
- (40) 'competent authority' means a public authority or body officially recognised by national law, which is empowered by national law to supervise institutions as part of the supervisory system in operation in the ^[F65]United Kingdom (or, where the context requires, a third country)];
- (41) ^[F66]'consolidating supervisor' means the competent authority responsible for the exercise of supervision on a consolidated basis of—
- (a) a UK parent institution, or
 - (b) an institution controlled by a UK parent financial holding company or UK parent mixed financial holding company; determined in accordance with Article 4B;]
- (42) 'authorisation' means an instrument issued in any form by the authorities by which the right to carry out the business is granted;

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- (43) F67 ...
- (44) F68 ...
- (45) F69 ...
- (46) [F70‘central banks’ means the Bank, the European Central Bank and the central banks of third countries;]
- (47) ‘consolidated situation’ means the situation that results from applying the requirements of this Regulation in accordance with Part One, Title II, Chapter 2 to an institution as if that institution formed, together with one or more other entities, a single institution;
- (48) ‘consolidated basis’ means on the basis of the consolidated situation;
- (49) ‘sub-consolidated basis’ means on the basis of the consolidated situation of a parent institution, financial holding company or mixed financial holding company, excluding a sub-group of entities, or on the basis of the consolidated situation of a parent institution, financial holding company or mixed financial holding company that is not the ultimate parent institution, financial holding company or mixed financial holding company;
- (50) ‘financial instrument’ means any of the following:
- (a) a contract that gives rise to both a financial asset of one party and a financial liability or equity instrument of another party;
 - (b) an instrument specified in [F71Part 1 of Schedule 2 to the Regulated Activities Order];
 - (c) a derivative financial instrument;
 - (d) a primary financial instrument;
 - (e) a cash instrument.
- The instruments referred to in points (a), (b) and (c) are only financial instruments if their value is derived from the price of an underlying financial instrument or another underlying item, a rate, or an index;
- (51) [F72‘initial capital’, in relation to an institution, means the amount and types of own funds specified in rule 12.1 of the Definition of Capital Part of the PRA rulebook;]
- (52) ‘operational risk’ means the risk of loss resulting from inadequate or failed internal processes, people and systems or from external events, and includes legal risk;
- (53) ‘dilution risk’ means the risk that an amount receivable is reduced through cash or non-cash credits to the obligor;
- (54) ‘probability of default’ or ‘PD’ means the probability of default of a counterparty over a one-year period;
- (55) ‘loss given default’ or ‘LGD’ means the ratio of the loss on an exposure due to the default of a counterparty to the amount outstanding at default;
- (56) ‘conversion factor’ means the ratio of the currently undrawn amount of a commitment that could be drawn and that would therefore be outstanding at default to the currently

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- undrawn amount of the commitment, the extent of the commitment being determined by the advised limit, unless the unadvised limit is higher;
- (57) ‘credit risk mitigation’ means a technique used by an institution to reduce the credit risk associated with an exposure or exposures which that institution continues to hold;
- (58) ‘funded credit protection’ means a technique of credit risk mitigation where the reduction of the credit risk on the exposure of an institution derives from the right of that institution, in the event of the default of the counterparty or on the occurrence of other specified credit events relating to the counterparty, to liquidate, or to obtain transfer or appropriation of, or to retain certain assets or amounts, or to reduce the amount of the exposure to, or to replace it with, the amount of the difference between the amount of the exposure and the amount of a claim on the institution;
- (59) ‘unfunded credit protection’ means a technique of credit risk mitigation where the reduction of the credit risk on the exposure of an institution derives from the obligation of a third party to pay an amount in the event of the default of the borrower or the occurrence of other specified credit events;
- (60) ‘cash assimilated instrument’ means a certificate of deposit, a bond, including a covered bond, or any other non-subordinated instrument, which has been issued by an institution [^{F73}or investment firm], for which the institution [^{F73}or investment firm] has already received full payment and which shall be unconditionally reimbursed by the institution [^{F73}or investment firm] at its nominal value;
- (61) [^{F74}‘securitisation’ means a securitisation as defined in point (1) of Article 2 of Regulation (EU) 2017/2402;
- (62) ‘securitisation position’ means a securitisation position as defined in point (19) of Article 2 of Regulation (EU) 2017/2402;
- (63) ‘resecuritisation’ means a resecuritisation as defined in point (4) of Article 2 of Regulation (EU) 2017/2402;]
- (64) ‘re-securitisation position’ means an exposure to a re-securitisation;
- (65) ‘credit enhancement’ means a contractual arrangement whereby the credit quality of a position in a securitisation is improved in relation to what it would have been if the enhancement had not been provided, including the enhancement provided by more junior tranches in the securitisation and other types of credit protection;
- (66) [^{F74}‘securitisation special purpose entity’ or ‘SSPE’ means a securitisation special purpose entity or SSPE as defined in point (2) of Article 2 of Regulation (EU) 2017/2402;
- (67) ‘tranche’ means a tranche as defined in point (6) of Article 2 of Regulation (EU) 2017/2402;]
- (68) ‘marking to market’ means the valuation of positions at readily available close out prices that are sourced independently, including exchange prices, screen prices or quotes from several independent reputable brokers;
- (69) ‘marking to model’ means any valuation which has to be benchmarked, extrapolated or otherwise calculated from one or more market inputs;
- (70) ‘independent price verification’ means a process by which market prices or marking to model inputs are regularly verified for accuracy and independence;

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- (71) ‘eligible capital’ means the following:
- (a) for the purposes of Title III of Part Two it means the sum of the following:
 - (i) Tier 1 capital as referred to in Article 25, without applying the deduction in Article 36(1)(k)(i);
 - (ii) Tier 2 capital as referred to in Article 71 that is equal to or less than one third of Tier 1 capital as calculated pursuant to point (i) of this point;
 - (b) [^{F1}for the purposes of Article 97 it means the sum of the following:]
 - (i) Tier 1 capital as referred to in Article 25;
 - (ii) Tier 2 capital as referred to in Article 71 that is equal to or less than one third of Tier 1 capital;
- (72) ‘recognised exchange’ means an exchange which meets all of the following conditions:
- (a) [^{F1}it is a regulated market or a third-country market that is considered to be equivalent to a regulated market in accordance with [^{F75}paragraph 8 of Schedule 3 to Regulation (EU) No 600/2014 of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Regulation (EU) No 648/2012];]
 - (b) it has a clearing mechanism whereby contracts listed in Annex II are subject to daily margin requirements which, in the opinion of the competent authorities, provide appropriate protection;
- (73) ‘discretionary pension benefits’ means enhanced pension benefits granted on a discretionary basis by an institution to an employee as part of that employee's variable remuneration package, which do not include accrued benefits granted to an employee under the terms of the company pension scheme;
- (74) ‘mortgage lending value’ means the value of immovable property as determined by a prudent assessment of the future marketability of the property taking into account long-term sustainable aspects of the property, the normal and local market conditions, the current use and alternative appropriate uses of the property;
- (75) ‘residential property’ means a residence which is occupied by the owner or the lessee of the residence ^{F76}...;
- (76) ‘market value’ means, for the purposes of immovable property, the estimated amount for which the property should exchange on the date of valuation between a willing buyer and a willing seller in an arm's-length transaction after proper marketing wherein the parties had each acted knowledgeably, prudently and without compulsion;
- (77) ‘applicable accounting framework’ means [^{F77}the accounting standards to which an institution is subject under section 403(1) of the Companies Act 2006] or [^{F78}Directive 86/635/EEC UK law];
- (78) ‘one-year default rate’ means the ratio between the number of defaults occurred during a period that starts from one year prior to a date T and the number of obligors assigned to this grade or pool one year prior to that date;

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- (79) ‘speculative immovable property financing’ means loans for the purposes of the acquisition of or development or construction on land in relation to immovable property, or of and in relation to such property, with the intention of reselling for profit;
- (80) ‘trade finance’ means financing, including guarantees, connected to the exchange of goods and services through financial products of fixed short-term maturity, generally of less than one year, without automatic rollover;
- (81) ‘officially supported export credits’ means loans or credits to finance the export of goods and services for which an official export credit agency provides guarantees, insurance or direct financing;
- (82) ‘repurchase agreement’ and ‘reverse repurchase agreement’ mean any agreement in which an institution or its counterparty transfers securities or commodities or guaranteed rights relating to title to securities or commodities where that guarantee is issued by a recognised exchange which holds the rights to the securities or commodities and the agreement does not allow an institution to transfer or pledge a particular security or commodity to more than one counterparty at one time, subject to a commitment to repurchase them, or substituted securities or commodities of the same description at a specified price on a future date specified, or to be specified, by the transferor, being a repurchase agreement for the institution selling the securities or commodities and a reverse repurchase agreement for the institution buying them;
- (83) ‘repurchase transaction’ means any transaction governed by a repurchase agreement or a reverse repurchase agreement;
- (84) ‘simple repurchase agreement’ means a repurchase transaction of a single asset, or of similar, non-complex assets, as opposed to a basket of assets;
- (85) ‘positions held with trading intent’ means any of the following:
- (a) proprietary positions and positions arising from client servicing and market making;
 - (b) positions intended to be resold short term;
 - (c) positions intended to benefit from actual or expected short-term price differences between buying and selling prices or from other price or interest rate variations;
- (86) [^{F1}‘trading book’ means all positions in financial instruments and commodities held by an institution either with trading intent or to hedge positions held with trading intent in accordance with Article 104;]
- (87) [^{F79}‘multilateral trading facility’ has the meaning given in Article 2(1)(14) of Regulation 600/2014/EU;]
- (88) ‘qualifying central counterparty’ or ‘QCCP’ means a central counterparty that has been either authorised in accordance with Article 14 of Regulation (EU) No 648/2012 or recognised in accordance with Article 25 of that Regulation;
- (89) ‘default fund’ means a fund established by a CCP in accordance with Article 42 of Regulation (EU) No 648/2012 and used in accordance with Article 45 of that Regulation;
- (90) ‘pre-funded contribution to the default fund of a CCP’ means a contribution to the default fund of a CCP that is paid in by an institution;

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- (91) [^{F1}‘trade exposure’ means a current exposure, including a variation margin due to the clearing member but not yet received, and any potential future exposure of a clearing member or a client, to a CCP arising from contracts and transactions listed in points (a), (b) and (c) of Article 301(1), as well as initial margin;]
- (92) [^{F80}‘regulated market’ has the meaning given in Article 2(1)(13A) of Regulation 600/2014/EU;]
- (93) ‘leverage’ means the relative size of an institution's assets, off-balance sheet obligations and contingent obligations to pay or to deliver or to provide collateral, including obligations from received funding, made commitments, derivatives or repurchase agreements, but excluding obligations which can only be enforced during the liquidation of an institution, compared to that institution's own funds;
- (94) ‘risk of excessive leverage’ means the risk resulting from an institution's vulnerability due to leverage or contingent leverage that may require unintended corrective measures to its business plan, including distressed selling of assets which might result in losses or in valuation adjustments to its remaining assets;
- (95) ‘credit risk adjustment’ means the amount of specific and general loan loss provision for credit risks that has been recognised in the financial statements of the institution in accordance with the applicable accounting framework;
- (96) [^{F1}‘internal hedge’ means a position that materially offsets the component risk elements between a trading book position and one or more non-trading book positions or between two trading desks;]
- (97) ‘reference obligation’ means an obligation used for the purposes of determining the cash settlement value of a credit derivative;
- (98) ‘external credit assessment institution’ or ‘ECAI’ means a credit rating agency that is registered or certified in accordance with Regulation (EC) No 1060/2009 of the European Parliament and of the Council of 16 September 2009 on credit rating agencies⁽²⁾ or a central bank issuing credit ratings which are exempt from the application of Regulation (EC) No 1060/2009;
- (99) ‘nominated ECAI’ means an ECAI nominated by an institution;
- (100) ‘accumulated other comprehensive income’ has the same meaning as under International Accounting Standard (IAS) 1, [^{F81}as applicable under UK-adopted international accounting standards];
- (101) [^{F82}‘basic own funds’ has the meaning given in the PRA rulebook;]
- (102) [^{F83}‘Tier 1 own-fund insurance items’ means basic own-fund items of insurance undertakings and reinsurance undertakings where those items are classified in Tier 1 in accordance with rule 3.1 of the Own Funds Part of the PRA rulebook;]
- (103) ‘additional Tier 1 own-fund insurance items’ means basic own-fund items of [^{F84}insurance undertakings and reinsurance undertakings] where those items are classified in Tier 1 ^{F85}... in accordance with [^{F86}rule 3.1 of the Own Funds Part of the PRA rulebook] and the inclusion of those items is limited by [^{F87}Article 82(3) of the Commission Delegated Regulation (EU) 2015/35 of 10th October 2014 supplementing Directive [2009/138/EC](#) of the European Parliament and of the Council on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II) Text];

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- (104) [^{F88}‘Tier 2 own-fund insurance items’ means basic own-fund items of insurance undertakings and reinsurance undertakings where those items are classified in Tier 2 in accordance with rule 3.2 of the Own Funds Part of the PRA rulebook;]
- (105) ‘Tier 3 own-fund insurance items’ means basic own-fund insurance items of [^{F89}insurance undertakings and reinsurance undertakings] where those items are classified in Tier 3 [^{F90}in accordance with rule 3.3 of the Own Funds Part of the PRA rulebook];
- (106) ‘deferred tax assets’ has the same meaning as under the applicable accounting framework;
- (107) ‘deferred tax assets that rely on future profitability’ means deferred tax assets the future value of which may be realised only in the event the institution generates taxable profit in the future;
- (108) ‘deferred tax liabilities’ has the same meaning as under the applicable accounting framework;
- (109) ‘defined benefit pension fund assets’ means the assets of a defined pension fund or plan, as applicable, calculated after they have been reduced by the amount of obligations under the same fund or plan;
- (110) ‘distributions’ means the payment of dividends or interest in any form;
- (111) ^{F91} ...
- (112) [^{F92}‘funds for general banking risk’ means those amounts which a credit institution decides to put aside to cover the particular risks associated with banking where this is permitted under the applicable accounting framework;]
- (113) ‘goodwill’ has the same meaning as under the applicable accounting framework;
- (114) ‘indirect holding’ means any exposure to an intermediate entity that has an exposure to capital instruments issued by a financial sector entity where, in the event the capital instruments issued by the financial sector entity were permanently written off, the loss that the institution would incur as a result would not be materially different from the loss the institution would incur from a direct holding of those capital instruments issued by the financial sector entity;
- (115) ‘intangible assets’ has the same meaning as under the applicable accounting framework and includes goodwill;
- (116) ‘other capital instruments’ means capital instruments issued by financial sector entities that do not qualify as Common Equity Tier 1, Additional Tier 1 or Tier 2 instruments or Tier 1 own-fund insurance items, additional Tier 1 own-fund insurance items, Tier 2 own-fund insurance items or Tier 3 own-fund insurance items;
- (117) ‘other reserves’ means reserves within the meaning of the applicable accounting framework that are required to be disclosed under the applicable accounting standard, excluding any amounts already included in accumulated other comprehensive income or retained earnings;
- (118) ‘own funds’ means the sum of Tier 1 capital and Tier 2 capital;
- (119) ‘own funds instruments’ means capital instruments issued by the institution that qualify as Common Equity Tier 1, Additional Tier 1 or Tier 2 instruments;

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- (120) ‘minority interest’ means the amount of Common Equity Tier 1 capital of a subsidiary of an institution that is attributable to natural or legal persons other than those included in the prudential scope of consolidation of the institution;
- (121) ‘profit’ has the same meaning as under the applicable accounting framework;
- (122) ‘reciprocal cross holding’ means a holding by an institution of the own funds instruments or other capital instruments issued by financial sector entities where those entities also hold own funds instruments issued by the institution;
- (123) ‘retained earnings’ means profits and losses brought forward as a result of the final application of profit or loss under the applicable accounting framework;
- (124) ‘share premium account’ has the same meaning as under the applicable accounting framework;
- (125) ‘temporary differences’ has the same meaning as under the applicable accounting framework;
- (126) ‘synthetic holding’ means an investment by an institution in a financial instrument the value of which is directly linked to the value of the capital instruments issued by a financial sector entity;
- (127) ^{F93} ...
- (128) [^{F1}‘distributable items’ means the amount of the profits at the end of the last financial year plus any profits brought forward and reserves available for that purpose, before distributions to holders of own funds instruments, less any losses brought forward, any profits which are non-distributable pursuant to ^{F94} ... [^{F95}the law of the United Kingdom, or any part of it, or of a third country] or the institution's by-laws and any sums placed in non-distributable reserves in accordance with [^{F95}the law of the United Kingdom, or any part of it, or of a third country] or the statutes of the institution, in each case with respect to the specific category of own funds instruments to which ^{F94} ... [^{F95}the law of the United Kingdom, or any part of it, or of a third country], institutions' by-laws, or statutes relate; such profits, losses and reserves being determined on the basis of the individual accounts of the institution and not on the basis of the consolidated accounts;]
- (128A) [^{F96}‘CRR covered bonds’ means bonds issued by a credit institution which—
- (a) has its registered office in the UK; and
 - (b) is subject by law to special public supervision designed to protect bondholders and in particular protection under which—
 - (i) sums deriving from the issue of the bond must be invested in conformity with the law in assets;
 - (ii) during the whole period of validity of the bond, those sums are capable of covering claims attaching to the bond; and
 - (ii) in the event of failure of the issuer, those sums would be used on a priority basis for the reimbursement of the principal and payment of the accrued interest;
- (128B) ‘Directive [86/635/EEC](#) UK law’ means the law of the United Kingdom or any part of it which immediately before IP completion day implemented Directive [86/635/EEC](#), and its implementing measures—

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- (i) as they have effect on IP completion day, in the case of rules made by the FCA or the PRA under the Financial Services and Markets Act 2000; and
 - (ii) as amended from time to time, in all other cases.
- (128C) ‘internal approaches’ means—
- (a) the internal ratings-based approach referred to in Article 143(1);
 - (b) the internal models approach referred to in Article 221;
 - (c) the own estimates approach referred to in Article 225;
 - (d) the advanced measurement approaches referred to in Article 312(2);
 - (e) the internal model method referred to in Article 283 and 363; and
 - (f) the internal assessment approach referred to in Article 259(3) of this Regulation;
- (128D) ‘SME’ means a micro, small and medium-sized enterprise as defined in Articles 1 to 6 of the Annex to Commission Recommendation 2003/361/EC of 6th May 2003 with the following amendments—
- (a) in article 3 (types of enterprise taken into consideration in calculating staff numbers and financial amounts), in paragraph (5) for “by national or Community rules” substitute “under the law of the United Kingdom (or any part of it)”;;
 - (b) in article 5 (staff headcount), in paragraph (b) for “national law” substitute “the law of the United Kingdom (or any part of it)”;;
- (128E) ‘systemically important institution’ means a UK parent institution, a UK parent financial holding company, a UK parent mixed financial holding company or an institution the failure or malfunction of which could lead to systemic risk;
- (128F) ‘UK deposit guarantee scheme’ means a deposit protection scheme established by the PRA and managed by the Financial Services Compensation Scheme Limited;]
- (128G) [^{F97}‘UK-adopted international accounting standards’ has the meaning given by section 474(1) of the Companies Act 2006;]
- (129) ‘^{F27}servicer’ means a servicer as defined in point (13) of Article 2 of Regulation (EU) 2017/2402^[F1];]
- (130) [^{F64}^{[F98}‘resolution authority’ means the Bank;]
- (130A) [^{F99}‘resolution’ means the application of a stabilisation option referred to in section 1(3) of the Banking Act 2009 in order to achieve one or more of the objectives referred to in section 4 of that Act;]
- (131) [^{F100}‘resolution entity’ means either—
- (a) a legal person established in the United Kingdom which is identified by the resolution authority as an entity in respect of which the resolution plan drawn up in accordance with article 40 of the second BRRD Order provides for resolution action; or

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- (b) an institution that is not part of a group that is subject to consolidated supervision under ^{F101}this Regulation and CRR rules], in respect of which the resolution plan drawn up in accordance with article 37 of the second BRRD Order provides for resolution action;]
- (132) ^{F102}‘resolution group’ means a resolution entity and its subsidiaries that are not—
- (a) resolution entities themselves;
 - (b) subsidiaries of other resolution entities; or
 - (c) entities established in a third country that are not included in the resolution group in accordance with the resolution plan and their subsidiaries;]
- (132A) ^{F103}‘resolution action’ means—
- (a) the decision to place an institution or entity under resolution pursuant to sections 7, 81B, 81BA, 81ZBA, 81C, 81D, or 82 of the Banking Act 2009;
 - (b) the application of a stabilisation option referred to in section 1(3) of the Banking Act 2009; or
 - (c) the exercise of one or more powers conferred on the Bank by United Kingdom legislation which implemented Articles 63 to 72 of Directive 2014/59/EU;]
- (133) ‘global systemically important institution’ or ‘G-SII’ means a G-SII that has been identified in accordance with ^{F104}Part 4 of the Capital Requirements (Capital Buffers and Macro-prudential Measures) Regulations 2014];
- (134) ^{F105}‘non-UK] global systemically important institution’ or ^{F105}‘non-UK] G-SII’ means a global systemically important banking group or a bank (G-SIBs) that is not a G-SII and that is included in the list of G-SIBs published by the Financial Stability Board, as regularly updated;
- (135) ‘material subsidiary’ means a subsidiary that on an individual or consolidated basis meets any of the following conditions:
- (a) the subsidiary holds more than 5 % of the consolidated risk-weighted assets of its original parent undertaking;
 - (b) the subsidiary generates more than 5 % of the total operating income of its original parent undertaking;
 - (c) the total exposure measure, referred to in Article 429(4) of this Regulation, of the subsidiary is more than 5 % of the consolidated total exposure measure of its original parent undertaking;
- ^{F106} ...
- (136) ‘G-SII entity’ means an entity with legal personality that is a G-SII or is part of a G-SII or of a ^{F107}non-UK] G-SII;
- (137) ^{F108}‘bail-in tool’ means the mechanism for effecting the exercise by the resolution authority of the write-down and conversion powers in relation to liabilities of an institution under resolution, in accordance with section 12A of the Banking Act 2009;]

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- (138) ‘group’ means a group of undertakings of which at least one is an institution and which consists of a parent undertaking and its subsidiaries, or of undertakings ^{F109}that are related to each other pursuant to a common management relationship within the meaning of point (38A)];
- (139) ‘securities financing transaction’ means a repurchase transaction, a securities or commodities lending or borrowing transaction, or a margin lending transaction;
- (140) ‘initial margin’ or ‘IM’ means any collateral, other than variation margin, collected from or posted to an entity to cover the current and potential future exposure of a transaction or of a portfolio of transactions in the period needed to liquidate those transactions, or to re-hedge their market risk, following the default of the counterparty to the transaction or portfolio of transactions;
- (141) ‘market risk’ means the risk of losses arising from movements in market prices, including in foreign exchange rates or commodity prices;
- (142) ‘foreign exchange risk’ means the risk of losses arising from movements in foreign exchange rates;
- (143) ‘commodity risk’ means the risk of losses arising from movements in commodity prices;
- (144) ‘trading desk’ means a well-identified group of dealers set up by the institution to jointly manage a portfolio of trading book positions in accordance with a well-defined and consistent business strategy and operating under the same risk management structure;
- (145) ‘small and non-complex institution’ means an institution that meets all the following conditions:
- (a) it is not a large institution;
 - (b) the total value of its assets on an individual basis or, where applicable, on a consolidated basis in accordance with this Regulation ^{F110}... is on average equal to or less than the threshold of EUR 5 billion over the four-year period immediately preceding the current annual reporting period; ^{F111}...
 - (c) it is not subject to any obligations, or is subject to simplified obligations, in relation to recovery and resolution planning in accordance with ^{F112}articles 7 and 8 of the second BRRD Order];
 - (d) its trading book business is classified as small within the meaning of Article 94(1);
 - (e) the total value of its derivative positions held with trading intent does not exceed 2 % of its total on- and off-balance-sheet assets and the total value of its overall derivative positions does not exceed 5 %, both calculated in accordance with Article 273a(3);
 - (f) more than 75 % of both the institution's consolidated total assets and liabilities, excluding in both cases the intragroup exposures, relate to activities with counterparties located in the ^{F113}United Kingdom];
 - (g) the institution does not use internal models to meet the prudential requirements in accordance with this Regulation except for subsidiaries using internal models developed at the group level, provided that the group

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- is subject to the disclosure requirements laid down in Article 433a or 433c on a consolidated basis;
- (h) the institution has not communicated to the competent authority an objection to being classified as a small and non-complex institution;
- (i) the competent authority has not decided that the institution is not to be considered a small and non-complex institution on the basis of an analysis of its size, interconnectedness, complexity or risk profile;
- (146) ‘large institution’ means an institution that meets any of the following conditions:
- (a) it is a G-SII;
- (b) it has been identified as an other systemically important institution (O-SII) in accordance with [F114Part 6 of the Capital Requirements (Capital Buffers and Macro-prudential Measures) Regulations 2014];
- (c) it is F115... one of the three largest institutions [F116;in the United Kingdom] in terms of total value of assets;
- (d) the total value of its assets on an individual basis or, where applicable, on the basis of its consolidated situation in accordance with this Regulation F117... is equal to or greater than EUR 30 billion;
- (147) ‘large subsidiary’ means a subsidiary that qualifies as a large institution;
- (148) ‘non-listed institution’ means an institution that has not issued securities that are admitted to trading on a regulated market F118...;
- (149) F119...
- (150) [F120‘commodity and emission allowance dealer’ means an undertaking the main business of which consists exclusively of the provision of investment services or activities in relation to—
- (a) commodity derivatives or commodity derivative contracts referred to in paragraphs 5, 6, 7, 9 and 10 of Part 1 of Schedule 2 to the Regulated Activities Order,
- (b) derivatives of emission allowances referred to in paragraph 4 of that Part of that Schedule, or
- (c) emission allowances referred to in paragraph 11 of that Part of that Schedule.]
- [F121 1A In this Regulation—
- “Bank” means the Bank of England;
- [F122“CRR rules” has the meaning given by section 144A of FSMA (CRR rules);]
- “FCA” means the Financial Conduct Authority;
- “Financial Policy Committee” means the Financial Policy Committee of the Bank;
- “FSMA” means the Financial Services and Markets Act 2000;
- “Part 4A permission” means a permission given by the FCA or PRA under Part 4A of FSMA or having effect as if so given;
- “PRA” means the Prudential Regulation Authority;

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“Regulated Activities Order” means the Financial Services and Markets Act 2000 (Regulated Activities) Order 2001.]

[^{F123}“the second BRRD Order” means the Bank Recovery and Resolution (No. 2) Order 2014;]

^{F124}2

3 Trade finance as referred to in point (80) of paragraph 1 is generally uncommitted and requires satisfactory supporting transactional documentation for each drawdown request enabling refusal of the finance in the event of any doubt about creditworthiness or the supporting transactional documentation. Repayment of trade finance exposures is usually independent of the borrower, the funds instead coming from cash received from importers or resulting from proceeds of the sales of the underlying goods.

[^{F64} ^{F125}The [^{F126}PRA may] make] technical standards specifying in which circumstances the conditions set out in point (39) of paragraph 1 are met.

^{F127} ...]]

Textual Amendments

- F1** Substituted by Regulation (EU) 2019/876 of the European Parliament and of the Council of 20 May 2019 amending Regulation (EU) No 575/2013 as regards the leverage ratio, the net stable funding ratio, requirements for own funds and eligible liabilities, counterparty credit risk, market risk, exposures to central counterparties, exposures to collective investment undertakings, large exposures, reporting and disclosure requirements, and Regulation (EU) No 648/2012 (Text with EEA relevance).
- F11** Words in Art. 4.1(2) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(2)(a)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F12** Words in Art. 4.1(2) substituted (1.1.2022) by Financial Services Act 2021 (c. 22), **ss. 1(2)**, 49(5); S.I. 2021/671, reg. 5(1)(a) (with reg. 5(2)) (as amended by S.I. 2021/1163, regs. 1(2), 2)
- F13** Art. 4.1(2A)(2B) inserted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(3)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F14** Words in Art. 4.1(2A)(a)(ii) substituted (1.1.2022) by Financial Services Act 2021 (c. 22), **ss. 1(3)**, 49(5); S.I. 2021/671, reg. 5(1)(a) (with reg. 5(2)) (as amended by S.I. 2021/1163, regs. 1(2), 2)
- F15** Art. 4.1(2AA)(2AB) inserted (1.1.2022) by Financial Services Act 2021 (c. 22), **ss. 1(4)**, 49(5); S.I. 2021/671, reg. 5(1)(a) (with reg. 5(2)) (as amended by S.I. 2021/1163, regs. 1(2), 2)
- F16** Words in Art. 4.1(3) substituted (1.1.2022) by Financial Services Act 2021 (c. 22), **ss. 1(5)**, 49(5); S.I. 2021/671, reg. 5(1)(a) (with reg. 5(2)) (as amended by S.I. 2021/1163, regs. 1(2), 2)
- F17** Art. 4.1(4) omitted (1.1.2022) by virtue of Financial Services Act 2021 (c. 22), s. 49(5), **Sch. 1 para. 2(2)**; S.I. 2021/671, reg. 5(1)(b) (with reg. 5(2)) (as amended by S.I. 2021/1163, regs. 1(2), 2)
- F18** Words in Art. 4.1(5) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(4)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F19** Words in Art. 4.1(6) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(5)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F20** Art. 4.1(6A) inserted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(6)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F21** Words in Art. 4.1(7) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(2)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

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- F22** Art. 4.1(9) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(8)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F23** Art. 4.1(9A) inserted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(9)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F24** Art. 4.1(10) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(10)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F25** Art. 4.1(11) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(11)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F26** Art. 4.1(12) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(12)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F27** Inserted by Regulation (EU) 2017/2401 of the European Parliament and of the Council of 12 December 2017 amending Regulation (EU) No 575/2013 on prudential requirements for credit institutions and investment firms.
- F28** Art. 4.1(15) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(13)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F29** Art. 4.1(16) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(14)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F30** Art. 4.1(19) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(15)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F31** Art. 4.1(21) substituted (31.12.2020) by The Financial Conglomerates and Other Financial Groups (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/264), regs. 1, **5(2)** (with reg. 6) (as amended by S.I. 2020/1301, reg. 3, **Sch. para. 15** and with savings in S.I. 2019/680, **reg. 11**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F32** Art. 4.1(22A) inserted (1.1.2022) by Financial Services Act 2021 (c. 22), s. 49(5), **Sch. 1 para. 2(3)**; S.I. 2021/671, reg. 5(1)(b) (with reg. 5(2)) (as amended by S.I. 2021/1163, regs. 1(2), 2)
- F33** Words in Art. 4.1(23) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(16)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F34** Words in Art. 4.1(24) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(17)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F35** Word in Art. 4.1(25) omitted (31.12.2020) by virtue of The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(18)(a)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F36** Words in Art. 4.1(25)(a) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(18)(b)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F37** Words in Art. 4.1(25)(c) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(18)(c)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F38** Art. 4.1(25A) inserted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(19)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F39** Words in Art. 4.1(26) inserted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(2)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

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- F40** Words in Art. 4.1(26) omitted (31.12.2020) by virtue of The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(2)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F41** Words in Art. 4.1(26) inserted (1.1.2022) by Financial Services Act 2021 (c. 22), s. 49(5), **Sch. 1 para. 2(4)(a)**; S.I. 2021/671, reg. 5(1)(b) (with reg. 5(2)) (as amended by S.I. 2021/1163, regs. 1(2), 2)
- F42** Words in Art. 4.1(26) inserted (1.1.2022) by Financial Services Act 2021 (c. 22), s. 49(5), **Sch. 1 para. 2(4)(b)**; S.I. 2021/671, reg. 5(1)(b) (with reg. 5(2)) (as amended by S.I. 2021/1163, regs. 1(2), 2)
- F43** Words in Art. 4.1(26) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(2)(b)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F44** Words in Art. 4.1(26) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(2)(b)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)
- F45** Art. 4.1(26A) inserted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(21)** (as amended by S.I. 2020/1301, regs. 1, 3, **Sch. para. 11(e)(i)** and with savings in S.I. 2019/680, **reg. 11**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F46** Words in Art. 4.1(27)(h) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(22)(a)** (with savings in S.I. 2019/680, **reg. 11**); 2020 c. 1, Sch. 5 para. 1(1)
- F47** Art. 4.1(27)(k) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(22)(b)** (with savings in S.I. 2019/680, **reg. 11**); 2020 c. 1, Sch. 5 para. 1(1)
- F48** Art. 4.1(28) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(2)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F49** Art. 4.1(29) omitted (31.12.2020) by virtue of The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(24)** (with savings in S.I. 2019/680, **reg. 11**); 2020 c. 1, Sch. 5 para. 1(1)
- F50** Art. 4.1(29a) substituted (1.1.2022) by Financial Services Act 2021 (c. 22), s. 49(5), **Sch. 1 para. 2(5)**; S.I. 2021/671, reg. 5(1)(b) (with reg. 5(2)) (as amended by S.I. 2021/1163, regs. 1(2), 2)
- F51** Art. 4.1(29b) omitted (31.12.2020) by virtue of The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(2)(e)**; 2020 c. 1, Sch. 5 para. 1(1)
- F52** Art. 4.1(29c) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(2)(f)**; 2020 c. 1, Sch. 5 para. 1(1)
- F53** Art. 4.1(29d) omitted (31.12.2020) by virtue of The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(2)(g)**; 2020 c. 1, Sch. 5 para. 1(1)
- F54** Words in Art. 4.1(30) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(25)(a)** (with savings in S.I. 2019/680, **reg. 11**); 2020 c. 1, Sch. 5 para. 1(1)
- F55** Words in Art. 4.1(30) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(25)(b)** (with savings in S.I. 2019/680, **reg. 11**); 2020 c. 1, Sch. 5 para. 1(1)
- F56** Art. 4.1(31) omitted (31.12.2020) by virtue of The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(26)** (with savings in S.I. 2019/680, **reg. 11**); 2020 c. 1, Sch. 5 para. 1(1)
- F57** Words in Art. 4.1(32) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(27)(a)** (with savings in S.I. 2019/680, **reg. 11**); 2020 c. 1, Sch. 5 para. 1(1)
- F58** Words in Art. 4.1(32) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(27)(b)** (with savings in S.I. 2019/680, **reg. 11**); 2020 c. 1, Sch. 5 para. 1(1)
- F59** Words in Art. 4.1(32) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(27)(c)** (with savings in S.I. 2019/680, **reg. 11**); 2020 c. 1, Sch. 5 para. 1(1)
- F60** Art. 4.1(33) omitted (31.12.2020) by virtue of The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(28)** (with savings in S.I. 2019/680, **reg. 11**); 2020 c. 1, Sch. 5 para. 1(1)

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- F61** Art. 4.1(35) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(29)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F62** Words in Art. 4.1(37) substituted (31.12.2020) by The Financial Services (Miscellaneous) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/710), regs. 1(3), **27(2)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F63** Art. 4.1(38A) inserted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(30)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F64** Inserted by Regulation (EU) 2019/876 of the European Parliament and of the Council of 20 May 2019 amending Regulation (EU) No 575/2013 as regards the leverage ratio, the net stable funding ratio, requirements for own funds and eligible liabilities, counterparty credit risk, market risk, exposures to central counterparties, exposures to collective investment undertakings, large exposures, reporting and disclosure requirements, and Regulation (EU) No 648/2012 (Text with EEA relevance).
- F65** Words in Art. 4.1(40) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(31)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F66** Art. 4.1(41) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(32)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F67** Art. 4.1(43) omitted (31.12.2020) by virtue of The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(33)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F68** Art. 4.1(44) omitted (31.12.2020) by virtue of The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(34)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F69** Art. 4.1(45) omitted (31.12.2020) by virtue of The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(35)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F70** Art. 4.1(46) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(36)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F71** Words in Art. 4.1(50)(b) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(37)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F72** Art. 4.1(51) substituted (1.1.2022) by Financial Services Act 2021 (c. 22), s. 49(5), **Sch. 1 para. 2(6)**; S.I. 2021/671, reg. 5(1)(b) (with reg. 5(2)) (as amended by S.I. 2021/1163, regs. 1(2), 2)
- F73** Words in Art. 4.1(60) inserted (1.1.2022) by Financial Services Act 2021 (c. 22), s. 49(5), **Sch. 1 para. 2(7)**; S.I. 2021/671, reg. 5(1)(b) (with reg. 5(2)) (as amended by S.I. 2021/1163, regs. 1(2), 2)
- F74** Substituted by Regulation (EU) 2017/2401 of the European Parliament and of the Council of 12 December 2017 amending Regulation (EU) No 575/2013 on prudential requirements for credit institutions and investment firms.
- F75** Words in Art. 4.1(72)(a) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(2)(h)**; 2020 c. 1, Sch. 5 para. 1(1)
- F76** Words in Art. 4.1(75) omitted (31.12.2020) by virtue of The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(39)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F77** Words in Art. 4.1(77) substituted (31.12.2020) by The Financial Services (Miscellaneous) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/710), regs. 1(3), **27(2)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F78** Words in Art. 4.1(77) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(40)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)

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- F79** Art. 4.1(87) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(41)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F80** Art. 4.1(92) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(42)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F81** Words in Art. 4.1(100) substituted (31.12.2020) by The Financial Services (Miscellaneous) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/710), regs. 1(3), **27(2)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F82** Art. 4.1(101) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(43)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F83** Art. 4.1(102) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(44)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F84** Words in Art. 4.1(103) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(45)(a)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F85** Words in Art. 4.1(103) omitted (31.12.2020) by virtue of The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(45)(b)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F86** Words in Art. 4.1(103) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(45)(c)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F87** Words in Art. 4.1(103) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(45)(d)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F88** Art. 4.1(104) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(46)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F89** Words in Art. 4.1(105) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(47)(a)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F90** Words in Art. 4.1(105) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(47)(b)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F91** Art. 4.1(111) omitted (31.12.2020) by virtue of The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(48)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F92** Art. 4.1(112) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(49)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F93** Art. 4.1(127) omitted (31.12.2020) by virtue of The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(50)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F94** Words in Art. 4.1(128) omitted (31.12.2020) by virtue of The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(2)(i)(i)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F95** Words in Art. 4.1(128) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(2)(i)(ii)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F96** Arts. 4.1(128A)-(128F) inserted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(52)** (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)

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- F97** Art. 4.1(128G) inserted (31.12.2020) by The Financial Services (Miscellaneous) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/710), regs. 1(3), **27(2)(d)**; 2020 c. 1, Sch. 5 para. 1(1)
- F98** Art. 4.1(130) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(2)(j)**; 2020 c. 1, Sch. 5 para. 1(1)
- F99** Art. 4.1(130A) inserted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(2)(k)**; 2020 c. 1, Sch. 5 para. 1(1)
- F100** Art. 4.1(131) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(2)(l)**; 2020 c. 1, Sch. 5 para. 1(1)
- F101** Words in Art. 4.1(131)(b) substituted (17.8.2022) by The Financial Services Act 2021 (Prudential Regulation of Credit Institutions and Investment Firms) (Consequential Amendments and Miscellaneous Provisions) Regulations 2022 (S.I. 2022/838), regs. 1(2), **20** (with regs. 24-26)
- F102** Art. 4.1(132) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(2)(m)**; 2020 c. 1, Sch. 5 para. 1(1)
- F103** Art. 4.1(132A) inserted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(2)(n)**; 2020 c. 1, Sch. 5 para. 1(1)
- F104** Words in Art. 4.1(133) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(2)(o)**; 2020 c. 1, Sch. 5 para. 1(1)
- F105** Word in Art. 4.1(134) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(2)(p)**; 2020 c. 1, Sch. 5 para. 1(1)
- F106** Words in Art. 4.1(135) omitted (31.12.2020) by virtue of The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(2)(q)**; 2020 c. 1, Sch. 5 para. 1(1)
- F107** Word in Art. 4.1(136) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(2)(r)**; 2020 c. 1, Sch. 5 para. 1(1)
- F108** Art. 4.1(137) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(2)(s)**; 2020 c. 1, Sch. 5 para. 1(1)
- F109** Words in Art. 4.1(138) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(2)(t)**; 2020 c. 1, Sch. 5 para. 1(1)
- F110** Words in Art. 4.1(145)(b) omitted (31.12.2020) by virtue of The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(2)(u)(i)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F111** Words in Art. 4.1(145)(b) omitted (31.12.2020) by virtue of The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(2)(u)(i)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)
- F112** Words in Art. 4.1(145)(c) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(2)(u)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F113** Words in Art. 4.1(145)(f) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(2)(u)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F114** Words in Art. 4.1(146)(b) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(2)(i)(v)**; 2020 c. 1, Sch. 5 para. 1(1)
- F115** Words in Art. 4.1(146)(c) omitted (31.12.2020) by virtue of The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(2)(ii)(aa)(v)**; 2020 c. 1, Sch. 5 para. 1(1)
- F116** Words in Art. 4.1(146)(c) inserted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(2)(ii)(bb)(v)**; 2020 c. 1, Sch. 5 para. 1(1)
- F117** Words in Art. 4.1(146)(d) omitted (31.12.2020) by virtue of The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(2)(iii)(v)**; 2020 c. 1, Sch. 5 para. 1(1)
- F118** Words in Art. 4.1(148) omitted (31.12.2020) by virtue of The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(2)(w)**; 2020 c. 1, Sch. 5 para. 1(1)
- F119** Art. 4.1(149) omitted (1.1.2022) by virtue of The Financial Services Act 2021 (Prudential Regulation of Credit Institutions and Investment Firms) (Consequential Amendments and Miscellaneous Provisions) Regulations 2021 (S.I. 2021/1376), regs. 1(3), **25(3)**
- F120** Art. 4.1(150) inserted (1.1.2022) by Financial Services Act 2021 (c. 22), **ss. 1(6)**, 49(5); S.I. 2021/671, reg. 5(1)(a) (with reg. 5(2)) (as amended by S.I. 2021/1163, regs. 1(2), 2)
- F121** Art. 4(1A) inserted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **64(53)** (with savings in S.I. 2019/680, **reg. 11**); 2020 c. 1, **Sch. 5 para. 1(1)**

Changes to legislation: Regulation (EU) No 575/2013 of the European Parliament and of the Council, TITLE I is up to date with all changes known to be in force on or before 11 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- F122** Words in Art. 4(1A) inserted (1.1.2022) by The Capital Requirements Regulation (Amendment) Regulations 2021 (S.I. 2021/1078), regs. 1(1), **3**
- F123** Words in Art. 4(1A) inserted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(3)**; 2020 c. 1, Sch. 5 para. 1(1)
- F124** Art. 4(2) omitted (31.12.2020) by virtue of The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **65** (with savings in S.I. 2019/680, **reg. 11**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F125** Words in Art. 4(4) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(4)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F126** Words in Art. 4(4) substituted (1.1.2022) by Financial Services Act 2021 (c. 22), s. 49(5), **Sch. 1 para. 47**; S.I. 2021/671, **reg. 5(1)(b)** (with reg. 5(2)) (as amended by S.I. 2021/1163, regs. 1(2), **2**)
- F127** Words in Art. 4(4) omitted (31.12.2020) by virtue of The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **11(4)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F128}Article 4A

Definitions: Regulators' rules

- 1 In [^{F129}this Regulation]—
- a a reference to the PRA rulebook is to the rulebook published by the PRA containing rules made by that Authority under FSMA [^{F130}as amended from time to time];
 - b any reference to a sourcebook is to a sourcebook in the Handbook of Rules and Guidance published by the FCA containing rules made by that Authority under FSMA [^{F131}as amended from time to time];
 - c “Directive 2013/36/EU UK law” means the law of the United Kingdom or any part of it, which was relied on by the United Kingdom immediately before IP completion day to implement Directive 2013/36/EU and its implementing measures—
 - i as they have effect on [^{F132}1 January 2022], in the case of rules made by the FCA or the PRA under FSMA; and
 - ii as amended from time to time, in all other cases.
- 2 By way of an exception to paragraph 1(c), for the purposes of Articles 4(1)(25), 11(2) and (6), 81(1)(ii), 82(a)(ii), 336(4)(c), 468(4) and 473a(7a), and the references to the Directive 2013/36/EU therein, “Directive 2013/36/EU UK law” shall mean the law of the United Kingdom or any part of it, which was relied on by the United Kingdom immediately before IP completion day to implement Directive 2013/36/EU and its implementing measures as amended from time to time.]
- [^{F133}3. In this Regulation, “Part 9C rules” has the same meaning as in FSMA (see section 417 of that Act).]

Textual Amendments

- F128** Arts. 4A, 4B inserted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1401), regs. 1(3), **66** (as amended by S.I. 2020/1301, regs. 1, 3, **Sch. para. 11(f)** and S.I. 2020/1385, regs. 1(4), **48(2)**) (with savings in S.I. 2019/680, **reg. 11**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F129** Words in Art. 4A(1) substituted (31.12.2020) by The Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1232), regs. 1(3), **12**; 2020 c. 1, Sch. 5 para. 1(1)
- F130** Words in Art. 4A(1)(a) substituted (1.1.2022) by Financial Services Act 2021 (c. 22), s. 49(5), **Sch. 4 para. 2**; S.I. 2021/671, **reg. 5(1)(b)** (with reg. 5(2)) (as amended by S.I. 2021/1163, regs. 1(2), **2**)

Changes to legislation: Regulation (EU) No 575/2013 of the European Parliament and of the Council, TITLE I is up to date with all changes known to be in force on or before 11 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- F131** Words in Art. 4A(1)(b) substituted (1.1.2022) by [Financial Services Act 2021 \(c. 22\), s. 49\(5\), Sch. 1 para. 3\(2\)](#); S.I. 2021/671, reg. 5(1)(b) (with reg. 5(2)) (as amended by S.I. 2021/1163, regs. 1(2), 2)
- F132** Words in Art. 4A(1)(c)(i) substituted (1.1.2022) by [The Financial Services and Markets Act 2000 \(Consequential Amendments of References to Rules\) Regulations 2021 \(S.I. 2021/1388\), regs. 1\(2\), 5](#)
- F133** Art. 4A(3) inserted (1.1.2022) by [Financial Services Act 2021 \(c. 22\), s. 49\(5\), Sch. 1 para. 3\(3\)](#); S.I. 2021/671, reg. 5(1)(b) (with reg. 5(2)) (as amended by S.I. 2021/1163, regs. 1(2), 2)

^{F134}Article 4B

The consolidating supervisor

The consolidating supervisor is the PRA.]

Textual Amendments

- F134** Art. 4B substituted (1.1.2022) by [Financial Services Act 2021 \(c. 22\), s. 49\(5\), Sch. 1 para. 4](#); S.I. 2021/671, reg. 5(1)(b) (with reg. 5(2)) (as amended by S.I. 2021/1163, regs. 1(2), 2)

Article 5

Definitions specific to capital requirements for credit risk

For the purposes of Part Three, Title II [^{F135}and Articles 132a to 132c of Chapter 3 of the Standardised Approach and Internal Ratings Based Approach to Credit Risk (CRR) Part of the PRA Rulebook], the following definitions shall apply:

- (1) ‘ exposure ’ means an asset or off-balance sheet item;
- (2) ‘ loss ’ means economic loss, including material discount effects, and material direct and indirect costs associated with collecting on the instrument;
- (3) ‘ expected loss ’ or ‘ EL ’ means the ratio of the amount expected to be lost on an exposure from a potential default of a counterparty or dilution over a one-year period to the amount outstanding at default.]

Textual Amendments

- F135** Words in Art. 5 inserted (1.1.2022) by [The Financial Services Act 2021 \(Prudential Regulation of Credit Institutions and Investment Firms\) \(Consequential Amendments and Miscellaneous Provisions\) Regulations 2021 \(S.I. 2021/1376\), regs. 1\(3\), 25\(4\)](#)

Editorial Information

- X1** Substituted by [Corrigendum to 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 \(OJ L 176, 27.6.2013, p. 1\).](#)

Changes to legislation: Regulation (EU) No 575/2013 of the European Parliament and of the Council, TITLE I is up to date with all changes known to be in force on or before 11 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (1) [^{X1}F74] Regulation (EU) 2017/2402 of the European Parliament and of the Council of 12 December 2017 laying down a general framework for securitisation and creating a specific framework for simple, transparent and standardised securitisation, and amending Directives 2009/65/EC, 2009/138/EC, 2011/61/EU and Regulations (EC) No 1060/2009 and (EU) No 648/2012 (OJ L 347, 28.12.2017, p. 35).]
- (2) [^{X1}OJ L 302, 17.11.2009, p. 1.]

Editorial Information

- X1** Substituted by [Corrigendum to 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 \(OJ L 176, 27.6.2013, p. 1\)](#).

Textual Amendments

- F74** Substituted by [Regulation \(EU\) 2017/2401 of the European Parliament and of the Council of 12 December 2017 amending Regulation \(EU\) No 575/2013 on prudential requirements for credit institutions and investment firms](#).

Changes to legislation:

Regulation (EU) No 575/2013 of the European Parliament and of the Council, TITLE I is up to date with all changes known to be in force on or before 11 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Pt. 3 Title 1 Ch. 1 SECTION 2 A 95 repeal by [EUR 2019/2033](#) Regulation (This amendment by the EU not applied to legislation.gov.uk because it is brought into force after IP completion day.)
- Pt. 3 Title 1 Ch. 1 SECTION 2 repeal by [EUR 2019/2033](#) Regulation (This amendment by the EU not applied to legislation.gov.uk because it is brought into force after IP completion day.)
- Pt. 3 Title 1 Ch. 1 SECTION 2 A 98 repeal by [EUR 2019/2033](#) Regulation (This amendment by the EU not applied to legislation.gov.uk because it is brought into force after IP completion day.)
- Pt. 3 Title 1 Ch. 1 SECTION 2 A 96 repeal by [EUR 2019/2033](#) Regulation (This amendment by the EU not applied to legislation.gov.uk because it is brought into force after IP completion day.)
- Pt. 3 Title 1 Ch. 1 SECTION 2 A 97 repeal by [EUR 2019/2033](#) Regulation (This amendment by the EU not applied to legislation.gov.uk because it is brought into force after IP completion day.)
- Art. 4.1(7) words omitted by [S.I. 2018/1401 reg. 64\(7\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 64(7) omitted (6.9.2019) by virtue of S.I. 2019/1232, regs. 1(2), 3(3)(c)(i))
- Art. 4.1(7) words substituted by [S.I. 2018/1401 reg. 64\(7\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Reg. 64(7) omitted (6.9.2019) by virtue of S.I. 2019/1232, regs. 1(2), 3(3)(c)(i))
- Art. 4.1(7) words substituted by [S.I. 2018/1401 reg. 64\(7\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Reg. 64(7) omitted (6.9.2019) by virtue of S.I. 2019/1232, regs. 1(2), 3(3)(c)(i))
- Art. 4.1(13) words substituted by [S.I. 2024/705 Sch. 2 para. 19\(a\)](#)
- Art. 4.1(14) words substituted by [S.I. 2024/705 Sch. 2 para. 19\(b\)](#)
- Art. 4.1(14a) words substituted by [S.I. 2024/705 Sch. 2 para. 19\(c\)](#)
- Art. 4.1(26) words inserted by [S.I. 2018/1401 reg. 64\(20\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Reg. 64(20) omitted (6.9.2019) by virtue of S.I. 2019/1232, regs. 1(2), 3(3)(c)(ii))
- Art. 4.1(26) words substituted by [S.I. 2018/1401 reg. 64\(20\)\(d\)](#) (This amendment not applied to legislation.gov.uk. Reg. 64(20) omitted (6.9.2019) by virtue of S.I. 2019/1232, regs. 1(2), 3(3)(c)(ii))
- Art. 4.1(28) words substituted by [S.I. 2018/1401 reg. 64\(23\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Reg. 64(23) omitted (6.9.2019) by virtue of S.I. 2019/1232, regs. 1(2), 3(3)(c)(iii))
- Art. 4.1(28) words substituted by [S.I. 2018/1401 reg. 64\(23\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 64(23) omitted (6.9.2019) by virtue of S.I. 2019/1232, regs. 1(2), 3(3)(c)(iii))
- Art. 4.1(28) words substituted by [S.I. 2018/1401 reg. 64\(23\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Reg. 64(23) omitted (6.9.2019) by virtue of S.I. 2019/1232, regs. 1(2), 3(3)(c)(iii))
- Art. 4.1(61) words substituted by [S.I. 2024/705 Sch. 2 para. 19\(d\)](#)
- Art. 4.1(62) words substituted by [S.I. 2024/705 Sch. 2 para. 19\(e\)](#)
- Art. 4.1(63) words substituted by [S.I. 2024/705 Sch. 2 para. 19\(f\)](#)
- Art. 4.1(66) words substituted by [S.I. 2024/705 Sch. 2 para. 19\(g\)](#)
- Art. 4.1(67) words substituted by [S.I. 2024/705 Sch. 2 para. 19\(h\)](#)

- Art. 4.1(128) word substituted by [S.I. 2018/1401 reg. 64\(51\)](#) (This amendment not applied to legislation.gov.uk. Reg. 64(51) omitted (6.9.2019) by virtue of S.I. 2019/1232, regs. 1(2), 3(3)(c)(iv))
- Art. 4.1(129) words substituted by [S.I. 2024/705 Sch. 2 para. 19\(i\)](#)
- Art. 11(6)(a) words substituted by [S.I. 2021/1078 reg. 4\(5\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Amending provision substituted by S.I. 2021/1376)
- Art. 18(8)(a) words substituted by [S.I. 2020/1385 reg. 74\(3\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Art. 18(8) substituted (31.12.2020) by S.I. 2019/264, regs. 1, 5(3).)
- Art. 31(1)(b) words substituted by [S.I. 2018/1401 reg. 86\(a\)](#) (This amendment not applied to legislation.gov.uk. Reg. 86(a) omitted immediately before IP completion day by virtue of S.I. 2020/1470, reg. 1(4), Sch. 2 para. 17)
- Art. 31(1)(b) words substituted in earlier amending provision S.I. 2018/1401, reg. 86(a) by [S.I. 2020/1301 reg. 3Sch. para. 11\(g\)](#) (This amendment not applied to legislation.gov.uk. Reg. 86(a) omitted immediately before IP completion day by virtue of S.I. 2020/1470, reg. 1(4), Sch. 2 para. 17)
- Art. 31(1)(c) words inserted by [S.I. 2018/1401 reg. 86\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 86(b) omitted immediately before IP completion day by virtue of S.I. 2020/1470, reg. 1(4), Sch. 2 para. 17)
- Art. 78(1)(b) words substituted by [S.I. 2018/1401 reg. 94\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Reg. 94(2) omitted (6.9.2019) by virtue of S.I. 2019/1232, regs. 1(2), 3(3)(h))
- Art. 78(1)(b) words substituted by [S.I. 2018/1401 reg. 94\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 94(2) omitted (6.9.2019) by virtue of S.I. 2019/1232, regs. 1(2), 3(3)(h))
- Art. 124(4)(b) word substituted by [S.I. 2018/1401 reg. 225\(1\)\(2\)reg. 225\(3\)\(b\)](#) (This amendment not applied to legislation.gov.uk. The words to be substituted in Art. 124(4) are not present following the substitution of Art 124 by Corrigendum to 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 (OJ L 176, 27.6.2013, p. 1).)
- Art. 242(10)(c) and word inserted by [S.I. 2024/705 Sch. 2 para. 22\(b\)\(ii\)](#)
- Art. 244(4)(c) words substituted by [S.I. 2024/705 Sch. 2 para. 23](#)
- art. 270a(1A) inserted by [S.I. 2024/705 Sch. 2 para. 25\(b\)](#)
- Art. 325(3)(a) word omitted by [S.I. 2018/1401 reg. 157](#) (This amendment not applied to legislation.gov.uk. The words to be omitted are not present in Art. 325(3)(a))
- Art. 450(1)(d) words substituted by [2021 c. 22 Sch. 1 para. 41](#) (This amendment not applied to legislation.gov.uk. Pt. 8 omitted (1.1.2022) by virtue of S.I. 2021/1078, regs. 1(1), 10 (as substituted by S.I. 2021/1376, regs. 1(2), 32(4)))
- Art. 456(1)(h)(i) omitted by [S.I. 2021/1078 reg. 11\(2\)\(a\)\(iv\)](#) (This amendment not applied to legislation.gov.uk. Amending provision substituted by S.I. 2021/1376)
- Art. 459(b) omitted by [S.I. 2021/1078 reg. 11\(5\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Amending provision substituted by S.I. 2021/1376)
- Art. 459(c) words substituted by [S.I. 2021/1078 reg. 11\(5\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Amending provision substituted by S.I. 2021/1376)