
STATUTORY RULES OF NORTHERN IRELAND

1993 No. 198

**Part XXIII Companies and Credit and Financial Institutions
(Branch Disclosure) Regulations (Northern Ireland) 1993**

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Part XXIII Companies and Credit and Financial Institutions (Branch Disclosure) Regulations (Northern Ireland) 1993 and shall come into operation on 8th June 1993.

(2) In these Regulations, “the 1986 Order” means the Companies (Northern Ireland) Order 1986(1) .

(3) The Interpretation Act (Northern Ireland 1954(2)) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

Implementation of the Bank Branches Directive

2.—(1) Before Article 649(3) of the 1986 Order there shall be inserted—

“Credit and financial institutions to which the Bank Branches Directive (89/117/EEC) applies

648A.—(1) This Article applies to any credit or financial institution—

- (a) which is incorporated or otherwise formed outside the United Kingdom and Gibraltar.
- (b) whose head office is outside the United Kingdom and Gibraltar, and
- (c) which has a branch in Northern Ireland.

(2) Schedule 20C (delivery of accounts and reports) shall have effect in relation to any institution to which this Article applies.

(3) In this Article—

“branch,” in relation to a credit or financial institution, means a place of business which forms a legally dependent part of the institution and which conducts directly all or some of the operations inherent in its business;

“credit institution” means a credit institution as defined in Article 1 of the First Council Directive on the coordination of laws, regulations and administrative provisions relating to the taking up and pursuit of the business of credit institutions (77/780/EEC), that is to say an undertaking whose business is to receive deposits or other repayable funds from the public and to grant credits for its own account;

(1) S.I. 1986/1032 (N.I. 6)

(2) 1954 c. 33 (N.I.)

(3) Articles 649 to 652 of the 1986 Order were substituted by Article 25 of and paragraph 18 of Schedule 10 to the Companies (Northern Ireland) Order 1990, S.I. 1990/593 (N.I. 5)

“financial institution” means a financial institution within the meaning of Article 1 of the Council Directive on the obligations of branches established in a Member State of credit and financial institutions having their head offices outside that Member State regarding the publication of annual accounting documents (the Bank Branches Directive, [89/117/EEC](#)); and

“undertaking” has the same meaning is in Part VIII.

Scope of Articles 649 to 652

648B. Articles 649 to 652 shall not apply to any institution to which Article 648A applies.”.

(2) The Schedule set out in Schedule 1 shall be inserted after Schedule 20B(4) to the 1986 Order.

Implementation of the Eleventh Company Law Directive

3.—(1) Part XXIII of the 1986 Order (companies incorporated outside Northern Ireland carrying on business in Northern Ireland) shall have effect subject to the amendments set out in Schedule 2. After Article 654 of that Order there shall be inserted—

“Registration of branches of Part XXIII companies

654A.—(1) For each company to which Article 640A(5) applies the registrar shall keep, in such form as he thinks fit, a register of the branches registered by the company under paragraph 1 of Schedule 20A.

(2) The registrar shall allocate to every branch registered by him under this Article a number, which shall be known as the branch’s registered number.

(3) Branches' registered numbers shall be in such form, consisting of one or more sequences of figures or letters, as the registrar may from time to time determine.

(4) The registrar may upon adopting a new form of registered number make such changes of existing registered numbers as appear to him necessary.

(5) A change of a branch’s registered number has effect from the date on which the company is notified by the registrar of the change; but for a period of three years beginning with the date on which that notification is sent by the registrar the requirement of Article 643(3)(6) as to the use of the branch’s registered number on business letters and order forms is satisfied by the use of either the old number or the new.

(6) Where a Part XXIII company to which Article 640A applies files particulars, in any circumstances permitted by this Order, by:

(a) adopting particulars already filed in respect of another branch; or

(b) including in one document particulars which are to relate to two or more branches,

the registrar shall ensure that the particulars concerned become part of the registered particulars of each branch concerned.”.

Consequential amendments

4. Schedule 3 (consequential amendments) shall have effect.

(4) Schedule 20B is inserted by regulation 3(1) and paragraph 5 of Schedule 2

(5) Article 640A is inserted into the 1986 Order by paragraph 2 of Schedule 2

(6) Inserted by paragraph 6 of Schedule 2

Transitional provisions

5. Schedule 4 (transitional provisions) shall have effect. Sealed with the Official Seal of the Department of Economic Development on

L.S.

19th April 1993.

A. L. Brown
Assistant Secretary