
DRAFT STATUTORY INSTRUMENTS

2014 No.

The Bank Recovery and Resolution Order 2014

Effect on other group members, financial stability in EU etc

13. After section 7 insert—

“Effect on other group members, financial stability in EU etc

7A.—(1) Where the Bank of England is considering the imposition of a requirement under section 3A(2), (4)(b)(ii), (5) or (6), the Bank must consult the PRA and the FCA, and have regard to the potential impact of the requirement on—

- (a) the institution in question,
- (b) the market for financial services within the EEA, and
- (c) the financial stability of the European Union or of the EEA states.

(2) Where the Bank of England is considering the exercise of a stabilisation power in respect of a bank which is a member of a group, the Bank must have regard to—

- (a) the need to minimise the effect of the exercise of the power on other undertakings in the same group,
- (b) the need to minimise any adverse effects on the financial stability of the European Union or of the EEA states (particularly those EEA states in which any member of that group is operating), and
- (c) the potential effect of the exercise of the power on the financial stability of third countries (particularly those third countries in which any member of that group is operating).

(3) In this section “group” has the meaning given by section 474 of the Companies Act 2006⁽¹⁾.”

(1) 2006 c.46. There have been amendments to section 474 but none are relevant to this Order.