
DRAFT STATUTORY INSTRUMENTS

2014 No.

The Bank Recovery and Resolution Order 2014

Special resolution objectives

8.—(1) Section 4 (special resolution objectives)(1) is amended as follows.

(2) For subsections (4) to (9) substitute—

“(3A) Objective 1 is to ensure the continuity of banking services in the United Kingdom and of critical functions.

(4) Objective 2 is to protect and enhance the stability of the financial system of the United Kingdom, including in particular by—

(a) preventing contagion (including contagion to market infrastructures such as investment exchanges, clearing houses and central counterparties authorised in accordance with Article 14, or recognised in accordance with Article 25, of Regulation (EU) 648/2012 of the European Parliament and the Council of 4th July 2012 on OTC derivatives, central counterparties and trade repositories)(2), and

(b) maintaining market discipline.

(5) Objective 3 is to protect and enhance public confidence in the stability of the financial system of the United Kingdom.

(6) Objective 4 is to protect public funds, including by minimising reliance on extraordinary public financial support.

(7) Objective 5 is to protect—

(a) investors to the extent that they have investments covered by an investor compensation scheme under [Directive 97/9/EC](#) of the European Parliament and of the Council(3), and

(b) depositors to the extent that they have deposits covered by the Financial Services Compensation Scheme or a deposit guarantee scheme under [Directive 94/19/EC](#)(4) or [Directive 2014/49/EU](#)(5) of the European Parliament and of the Council.

(8) Objective 6, which applies in any case in which client assets may be affected, is to protect those assets.

(9) Objective 7 is to avoid interfering with property rights in contravention of a Convention right (within the meaning of the Human Rights Act 1998(6)).”

(1) [2009 c.1](#), section 4 was amended by paragraph 5 of Schedule 17 to the Financial Services Act [2012 \(c.21\)](#), section 96(3) of the Financial Services Act [2012 \(c.21\)](#).

(2) OJ L 201, 27.7.2012, p.1.

(3) OJ No L 84, 26.03.1997, p.22.

(4) OJ No L 135, 31.5.1994, p.5.

(5) OJ No L 173, 12.6.2014, p.149.

(6) [1998 c. 42](#).