

SCHEDULE 2

Regulation 3

Amendments of other primary legislation

Amendments of the Insolvency Act 1986

1. Schedule 6 to the Insolvency Act 1986 (preferential debts) is amended in accordance with paragraphs 2 and 3.

2. In paragraph 15BB(1)—

(a) in sub-paragraph (a)—

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

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

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

3. In paragraph 15C(2)—

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

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

(b) in sub-paragraph (4)—

(i) for paragraphs (b) and (c) substitute—

“(b) “non-UK branch” means a branch, as defined in Article 4.1(17) of the capital requirements regulation, which is established outside the United Kingdom;

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

(ii) at the end, insert “, as it had effect on the day on which the Bank Recovery and Resolution and Miscellaneous Provisions (Amendment) (EU Exit) Regulations 2018 were made”.

Amendments of the Financial Services (Banking Reform) Act 2013

4. Paragraph 5 of Schedule 7 to the Financial Services (Banking Reform) Act 2013 (provision that may be made by a financial market infrastructure transfer scheme) is amended as follows—

(a) at the end of sub-paragraph (2)(e), insert the words “(including under legislation of the European Union)”; and

(b) in sub-paragraph (2)(f), omit “, EU instrument”.

(1) Inserted by [S.I. 2014/3486](#).

(2) Inserted by the Financial Services (Banking Reform) Act 2013 and amended by [S.I. 2014/3486](#) and [2015/486](#).