



# Bank of England Act 1998

## 1998 CHAPTER 11

### PART I

#### CONSTITUTION, REGULATION AND FINANCIAL ARRANGEMENTS

##### *Constitution and regulation*

#### **1 Court of directors.**

(1) There shall continue to be a court of directors of the Bank.

[<sup>F1</sup>(2) The court shall consist of the following directors appointed by Her Majesty—

(a) a Governor,

(b) a Deputy Governor for financial stability,

[<sup>F2</sup>(ba) a Deputy Governor for markets and banking,]

(c) a Deputy Governor for monetary policy,

(d) a Deputy Governor for prudential regulation, and

(e) not more than 9 non-executive directors.]

<sup>F3</sup>(3) .....

(4) Schedule 1 shall have effect with respect to the court.

#### **Textual Amendments**

**F1** S. 1(2) substituted for s. 1(2)(2A) (19.2.2013 for specified purposes, 1.4.2013 in so far as not already in force) by [Financial Services Act 2012 \(c. 21\)](#) , **ss. 1(1)** , 122(3) (with [Sch. 20](#) ) ; [S.I. 2013/113](#) , art. 2(2) , [Sch. Pt. 4](#) ; [S.I. 2013/423](#) , art. 3 , [Sch.](#)

**F2** S. 1(2)(ba) inserted (6.7.2016) by [Bank of England and Financial Services Act 2016 \(c. 14\)](#) , **ss. 1(2)** , 41(3) (with [Sch. 3](#) ) ; [S.I. 2016/627](#) , reg. 2(1)(a)

**F3** S. 1(3) repealed (1.4.2013) by [Financial Services Act 2012 \(c. 21\)](#) , s. 122(3) , **Sch. 19** (with [Sch. 20](#) ) ; [S.I. 2013/423](#) , art. 3 , [Sch.](#)

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#### **[<sup>F4</sup>1A Power to alter membership of court of directors**

- (1) The Treasury, after consulting the Governor of the Bank, may by order amend the list in section 1(2) so as to—
  - (a) alter the title of a Deputy Governor;
  - (b) add a Deputy Governor to the list;
  - (c) remove a Deputy Governor from the list.
- (2) An order under subsection (1)(a) or (c) must (by making saving provision or otherwise) secure that the alteration in the title of a Deputy Governor or the removal of a Deputy Governor from the list in section 1(2) does not have effect in relation to the individual (if any) who holds that office at the time the order is made.
- (3) An order under subsection (1)(b) may also add the Deputy Governor to which the order relates to the list in—
  - (a) section 9B(1) (membership of Financial Policy Committee);
  - (b) section 13(2) (membership of Monetary Policy Committee);
  - (c) section 30A(2) (membership of Prudential Regulation Committee).
- (4) An order under subsection (1)(c) may also remove from any of those lists the Deputy Governor to which the order relates.
- (5) Where an order under subsection (1) makes an amendment mentioned in column 1 of the following table, it may also make the amendment mentioned in the corresponding entry in column 2 of the table.

<i>Addition or removal of Deputy Governors</i>	<i>Corresponding change in membership of Committee</i>
Addition of one or more Deputy Governors to the list in section 9B(1)	Equal increase in the number of members appointed by the Chancellor of the Exchequer under section 9B(1)(e)
Removal of one or more Deputy Governors from the list in section 9B(1)	Equal reduction in the number of members appointed by the Chancellor of the Exchequer under section 9B(1)(e)
Addition of one or more Deputy Governors to the list in section 13(2)	Equal reduction in the number of members appointed by the Governor of the Bank under section 13(2)(b)
Removal of one or more Deputy Governors from the list in section 13(2)	Equal increase in the number of members appointed by the Governor of the Bank under section 13(2)(b)
Addition of one or more Deputy Governors to the list in section 30A(2)	Equal increase in the minimum number of members appointed by the Chancellor of the Exchequer under section 30A(2)(g)
Removal of one or more Deputy Governors from the list in section 30A(2)	Equal reduction in the minimum number of members appointed by the Chancellor of the Exchequer under section 30A(2)(g)

- (6) The power in subsection (5)—
  - (a) to make an equal reduction in the number of members appointed under section 9B(1)(e), 13(2)(b) or 30A(2)(g), includes power to remove the power

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to make those appointments where an equal reduction would reduce the number of members so appointed to zero,

- (b) to make an equal increase in the number of members appointed under section 9B(1)(e), 13(2)(b) or 30A(2)(g), includes power to reinstate the power to make those appointments where it has previously been removed under paragraph (a).

- (7) An order under subsection (1) may amend, repeal or revoke any provision made by or under any Act, including this Act, so as to make consequential provision.]

#### Textual Amendments

- F4** S. 1A inserted (6.7.2016 for specified purposes, 1.3.2017 in so far as not already in force) by [Bank of England and Financial Services Act 2016 \(c. 14\)](#), **ss. 1(3)**, 41(3) (with Sch. 3); S.I. 2016/627, reg. 2(1)(b); S.I. 2017/43, reg. 2(a)

## 2 Functions of court of directors.

- (1) The court of directors of the Bank shall manage the Bank's affairs, other than the formulation of monetary policy.
- (2) In particular, the court's functions under subsection (1) shall include
- [<sup>F5</sup>(a) determining the Bank's objectives (including objectives for its financial management) and strategy.]
- [<sup>F6</sup>(b) the functions mentioned in section 3A(2) (the "oversight functions").]
- (3) In determining the Bank's objectives and strategy, the court's aim shall be to ensure the effective discharge of the Bank's functions.
- (4) Subject to that, in determining objectives for the financial management of the Bank, the court's aim shall be to ensure the most efficient use of the Bank's resources.

- [<sup>F7</sup> [<sup>F8</sup>(5) Subsections (2) to (4) are subject to—
- (a) section 2A (Financial Stability Objective);
- (b) section 11 (objectives in relation to monetary policy);
- (c) Part 1A of the Financial Services and Markets Act 2000 (objectives and strategy of the Prudential Regulation Authority).]]

#### Textual Amendments

- F5** Words in s. 2(2) renumbered as s. 2(2)(a) (6.7.2016) by [Bank of England and Financial Services Act 2016 \(c. 14\)](#), **ss. 3(2)(a)**, 41(3) (with Sch. 3); S.I. 2016/627, reg. 2(1)(d)
- F6** S. 2(2)(b) inserted (6.7.2016) by [Bank of England and Financial Services Act 2016 \(c. 14\)](#), **ss. 3(2)(b)**, 41(3) (with Sch. 3); S.I. 2016/627, reg. 2(1)(d)
- F7** S. 2(5) added (1.6.2009) by [Banking Act 2009 \(c. 1\)](#), **ss. 238(2)**, 263(1) (with s. 247); S.I. 2009/1296, art. 2, Sch. para. 1
- F8** S. 2(5) substituted (1.3.2017) by [Bank of England and Financial Services Act 2016 \(c. 14\)](#), s. 41(3), **Sch. 2 para. 2** (with Sch. 3); S.I. 2017/43, reg. 2(g)

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## [<sup>F9</sup>2A Financial Stability Objective

- (1) An objective of the Bank shall be to [<sup>F10</sup>protect and enhance] the stability of the financial [<sup>F11</sup>system] of the United Kingdom (the “Financial Stability Objective”).
- (2) In pursuing the Financial Stability Objective the Bank shall aim to work with other relevant bodies (including the Treasury [<sup>F12</sup>and the Financial Conduct Authority]).

<sup>F13</sup>( 3 ) . . . . . ]

### Textual Amendments

- F9** Ss. 2A-2C inserted (1.6.2009) by [Banking Act 2009 \(c. 1\)](#) , **ss. 238(1)** , 263(1) (with s. 247 ) ; S.I. 2009/1296 , [art. 2](#) , [Sch. para. 1](#)
- F10** Words in s. 2A(1) substituted (1.4.2013) by [Financial Services Act 2012 \(c. 21\)](#) , **ss. 2(2)(a)** , 122(3) (with [Sch. 20](#) ) ; S.I. 2013/423 , [art. 3](#) , [Sch.](#)
- F11** Word in s. 2A(1) substituted (1.4.2013) by [Financial Services Act 2012 \(c. 21\)](#) , **ss. 2(2)(b)** , 122(3) (with [Sch. 20](#) ) ; S.I. 2013/423 , [art. 3](#) , [Sch.](#)
- F12** Words in s. 2A(2) substituted (1.3.2017) by [Bank of England and Financial Services Act 2016 \(c. 14\)](#) , s. 41(3) , **Sch. 2 para. 3** (with [Sch. 3](#)) ; S.I. 2017/43 , [reg. 2\(g\)](#)
- F13** S. 2A(3) omitted (1.4.2013) by virtue of [Financial Services Act 2012 \(c. 21\)](#) , **ss. 2(4)** , 122(3) (with [Sch. 20](#) ) ; S.I. 2013/423 , [art. 3](#) , [Sch.](#)

## [<sup>F14</sup>2AA.Macro-prudential measures: Article 458 of the capital requirements regulation

- (1) The Bank is responsible for the application of Article 458 of the capital requirements regulation so far as it relates to measures which are prescribed by order under section 9L (macro-prudential measures).
- (2) The Treasury are responsible for the application of Article 458 of the capital requirements regulation so far as it relates to measures which are not so prescribed.
- [ The Bank must undertake (in relation to a measure falling within subsection (1)) the  
<sup>F15</sup>(3) notification process required by Article 458 of the capital requirements regulation (“the Article 458 notification process”) in any case where it is requested to do so by the Financial Policy Committee in connection with—
  - (a) a direction that the Committee has given or proposes to give under section 9H, or
  - (b) recommendations that the Committee has made or proposes to make under section 9Q.
- (4) The Treasury must undertake (in relation to a measure falling within subsection (2)) the Article 458 notification process in any case where they are requested to do so by the Financial Policy Committee in connection with recommendations that the Committee has made or proposes to make under section 9Q.
- (5) Subsections (3) and (4) do not require the Bank or the Treasury to undertake the Article 458 notification process if—
  - (a) the Financial Policy Committee revokes the request, or
  - (b) the Bank considers (in a case within subsection (3)), or the Treasury consider (in a case within subsection (4)), that the measure is incompatible with EU law.

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- (6) Neither the Bank nor the Treasury may undertake the Article 458 notification process except in accordance with subsection (3) or (4).
- (7) Where the Bank undertakes the Article 458 notification process, it must consult the Treasury about the assessment required by Article 458(2)(f) of the capital requirements regulation.
- (8) Where the Financial Policy Committee requests the Treasury to undertake the Article 458 notification process, it must include in the request any information that would in its opinion be relevant to any notification by the Treasury.]]

**Textual Amendments**

- F14** S. 2AA inserted (1.1.2014) by [The Capital Requirements Regulations 2013 \(S.I. 2013/3115\)](#) , reg. 1(2) , [Sch. 2 para. 38\(2\)](#)
- F15** S. 2AA(3)-(8) inserted (1.5.2014) by [The Capital Requirements \(Capital Buffers and Macro-prudential Measures\) Regulations 2014 \(S.I. 2014/894\)](#) , regs. 1(2) , [36\(2\)](#)

**F16**<sup>F9</sup> **Financial Stability Committee**  
**2B**

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**Textual Amendments**

- F9** Ss. 2A-2C inserted (1.6.2009) by [Banking Act 2009 \(c. 1\)](#) , [ss. 238\(1\)](#) , 263(1) (with s. 247 ) ; S.I. 2009/1296 , [art. 2](#) , [Sch. para. 1](#)
- F16** S. 2B repealed (1.4.2013) by [Financial Services Act 2012 \(c. 21\)](#) , [ss. 4\(4\)](#) , 122(3) (with Sch. 20 ) ; S.I. 2013/423 , [art. 3](#) , [Sch.](#)

**F17**<sup>F9</sup> **Financial Stability Committee: supplemental**  
**2C**

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**Textual Amendments**

- F9** Ss. 2A-2C inserted (1.6.2009) by [Banking Act 2009 \(c. 1\)](#) , [ss. 238\(1\)](#) , 263(1) (with s. 247 ) ; S.I. 2009/1296 , [art. 2](#) , [Sch. para. 1](#)
- F17** S. 2C repealed (1.4.2013) by [Financial Services Act 2012 \(c. 21\)](#) , [ss. 4\(4\)](#) , 122(3) (with Sch. 20 ) ; S.I. 2013/423 , [art. 3](#) , [Sch.](#)

**F18**<sup>3</sup> **Functions to be carried out by non-executive members.**

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**Textual Amendments**

- F18** Ss. 3A-3F substituted for s. 3 (1.4.2013) by [Financial Services Act 2012 \(c. 21\)](#) , [ss. 3\(2\)](#) , 122(3) (with [Sch. 20](#) ) ; S.I. 2013/423 , [art. 3](#) ,

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### [<sup>F18</sup>3A. Oversight [<sup>F19</sup>functions of court of directors ]

<sup>F20</sup>( 1 ) .....

(2) The [<sup>F21</sup>oversight functions of the court of directors] are—

- (a) keeping under review the Bank's performance in relation to—
  - (i) the Bank's objectives (that is, the objectives specified in relation to it in this Act [<sup>F22</sup>, the objectives specified in relation to the Prudential Regulation Authority in Part 1A of the Financial Services and Markets Act 2000] and the other objectives for the time being determined by the court of directors of the Bank),
  - (ii) the duty of the Financial Policy Committee under section 9C, <sup>F23</sup>...
  - (iii) [<sup>F24</sup>the Bank's strategy determined under section 2,
  - (iv) the Bank's financial stability strategy determined under section 9A, and
  - (v) the strategy of the Prudential Regulation Authority determined under section 2E of the Financial Services and Markets Act 2000;]
- (b) monitoring the extent to which the objectives set by the court of directors of the Bank in relation to the Bank's financial management have been met;
- (c) keeping under review the internal financial controls of the Bank with a view to securing the proper conduct of its financial affairs;
- (d) the functions conferred on the [<sup>F25</sup>court of directors] by the provisions listed in subsection (4).

<sup>F26</sup>( 3 ) .....

(4) The provisions referred to in subsection (2)(d) are—

- (a) section 9B (review of procedures followed by Financial Policy Committee);
- (b) section 16 (review of procedures followed by Monetary Policy Committee);
- <sup>F27</sup>(c) .....
- <sup>F27</sup>(d) .....
- <sup>F27</sup>(e) .....
- <sup>F27</sup>(f) .....
- <sup>F27</sup>(g) .....
- <sup>F27</sup>(h)] .....

#### Textual Amendments

- F18** Ss. 3A-3F substituted for s. 3 (1.4.2013) by [Financial Services Act 2012 \(c. 21\)](#) , **ss. 3(2)** , 122(3) (with [Sch. 20](#) ) ; S.I. 2013/423 , [art. 3](#) ,
- F19** Words in s. 3A heading substituted (6.7.2016) by [Bank of England and Financial Services Act 2016 \(c. 14\)](#) , **ss. 3(3)(e)** , 41(3) (with [Sch. 3](#) ) ; S.I. 2016/627 , [reg. 2\(1\)\(d\)](#)
- F20** S. 3A(1) omitted (6.7.2016) by virtue of [Bank of England and Financial Services Act 2016 \(c. 14\)](#) , **ss. 3(3)(a)** , 41(3) (with [Sch. 3](#) ) ; S.I. 2016/627 , [reg. 2\(1\)\(d\)](#)
- F21** Words in s. 3A(2) substituted (6.7.2016) by [Bank of England and Financial Services Act 2016 \(c. 14\)](#) , **ss. 3(3)(b)** , 41(3) (with [Sch. 3](#) ) ; S.I. 2016/627 , [reg. 2\(1\)\(d\)](#)
- F22** Words in s. 3A(2)(a)(i) inserted (1.3.2017) by [Bank of England and Financial Services Act 2016 \(c. 14\)](#) , [s. 41\(3\)](#) , **Sch. 2 para. 4(2)(a)** (with [Sch. 3](#) ) ; S.I. 2017/43 , [reg. 2\(g\)](#)
- F23** Word in s. 3A(2)(a)(ii) omitted (1.3.2017) by virtue of [Bank of England and Financial Services Act 2016 \(c. 14\)](#) , [s. 41\(3\)](#) , **Sch. 2 para. 4(2)(b)** (with [Sch. 3](#) ) ; S.I. 2017/43 , [reg. 2\(g\)](#)

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- F24** Ss. 3A(2)(a)(iii)-(v) substituted for s. 3A(2)(a)(iii) (1.3.2017) by Bank of England and Financial Services Act 2016 (c. 14), s. 41(3), **Sch. 2 para. 4(2)(c)** (with Sch. 3); S.I. 2017/43, reg. 2(g)
- F25** Words in s. 3A(2)(d) substituted (6.7.2016) by Bank of England and Financial Services Act 2016 (c. 14), **ss. 3(3)(c)**, 41(3) (with Sch. 3); S.I. 2016/627, reg. 2(1)(d)
- F26** S. 3A(3) omitted (6.7.2016) by virtue of Bank of England and Financial Services Act 2016 (c. 14), **ss. 3(3)(d)**, 41(3) (with Sch. 3); S.I. 2016/627, reg. 2(1)(d)
- F27** Ss. 3A(4)(c)-(h) omitted (1.3.2017) by virtue of Bank of England and Financial Services Act 2016 (c. 14), s. 41(3), **Sch. 2 para. 4(3)** (with Sch. 3); S.I. 2017/43, reg. 2(g)

**F28 3B Oversight Committee: procedure**

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**Textual Amendments**

- F28** S. 3B omitted (6.7.2016) by virtue of Bank of England and Financial Services Act 2016 (c. 14), **ss. 3(4)**, 41(3) (with Sch. 3); S.I. 2016/627, reg. 2(1)(d)

**[F18]3C Reviews**

- (1) In the discharge of any of its<sup>[F29]</sup>oversight] functions, the <sup>[F30]</sup>court of directors] may arrange—
  - (a) for a review to be conducted under this section in relation to any matter by a person appointed by the <sup>[F31]</sup>court of directors], and
  - (b) for the person conducting the review to make one or more reports to the <sup>[F32]</sup>court of directors ].

- <sup>[F33]</sup>(1A) Where they consider that to do so would contribute to the discharge by the court of directors of any of its oversight functions, the non-executive directors of the Bank (or a majority of them) may arrange—
  - (a) for a review to be conducted under this section in relation to any matter by a person appointed by those directors, and
  - (b) for the person conducting the review to make one or more reports to the court of directors.]

- (2) The persons who may be appointed to conduct a review include an officer or employee of the Bank.

- (3) A review under this section is a “performance review” if it—
  - (a) is arranged <sup>[F34]</sup>in relation to the discharge of any of the court's] functions under section 3A(2)(a) and (b), and
  - (b) relates to past events.

<sup>F35</sup>( 4 ) .....

- (5) In the case of a performance review, <sup>[F36]</sup>regard must be had ] to the desirability of ensuring that sufficient time has elapsed—
  - (a) for the review to be effective, and
  - (b) to avoid the review having a material adverse effect on the exercise by the Bank of its functions.]



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#### Textual Amendments

- F18** Ss. 3A-3F substituted for s. 3 (1.4.2013) by [Financial Services Act 2012 \(c. 21\)](#) , **ss. 3(2)** , 122(3) (with [Sch. 20](#) ) ; S.I. 2013/423 , [art. 3](#) ,
- F29** Word in s. 3C(1) inserted (6.7.2016) by [Bank of England and Financial Services Act 2016 \(c. 14\)](#) , s. 41(3) , **Sch. 2 para. 5(2)(a)** (with [Sch. 3](#) ) ; S.I. 2016/627 , [reg. 2\(2\)\(b\)](#)
- F30** Words in s. 3C(1) substituted (6.7.2016) by [Bank of England and Financial Services Act 2016 \(c. 14\)](#) , s. 41(3) , **Sch. 2 para. 5(2)(b)** (with [Sch. 3](#) ) ; S.I. 2016/627 , [reg. 2\(2\)\(b\)](#)
- F31** Words in s. 3C(1)(a) substituted (6.7.2016) by [Bank of England and Financial Services Act 2016 \(c. 14\)](#) , s. 41(3) , **Sch. 2 para. 5(2)(c)** (with [Sch. 3](#) ) ; S.I. 2016/627 , [reg. 2\(2\)\(b\)](#)
- F32** Words in s. 3C(1)(b) substituted (6.7.2016) by [Bank of England and Financial Services Act 2016 \(c. 14\)](#) , s. 41(3) , **Sch. 2 para. 5(2)(c)** (with [Sch. 3](#) ) ; S.I. 2016/627 , [reg. 2\(2\)\(b\)](#)
- F33** S. 3C(1A) inserted (6.7.2016) by [Bank of England and Financial Services Act 2016 \(c. 14\)](#) , **ss. 3(5)** , 41(3) (with [Sch. 3](#) ) ; S.I. 2016/627 , [reg. 2\(1\)\(d\)](#)
- F34** Words in s. 3C(3)(a) substituted (6.7.2016) by [Bank of England and Financial Services Act 2016 \(c. 14\)](#) , s. 41(3) , **Sch. 2 para. 5(3)** (with [Sch. 3](#) ) ; S.I. 2016/627 , [reg. 2\(2\)\(b\)](#)
- F35** S. 3C(4) omitted (6.7.2016) by virtue of [Bank of England and Financial Services Act 2016 \(c. 14\)](#) , s. 41(3) , **Sch. 2 para. 5(4)** (with [Sch. 3](#) ) ; S.I. 2016/627 , [reg. 2\(2\)\(b\)](#)
- F36** Words in s. 3C(5) substituted (6.7.2016) by [Bank of England and Financial Services Act 2016 \(c. 14\)](#) , s. 41(3) , **Sch. 2 para. 5(5)** (with [Sch. 3](#) ) ; S.I. 2016/627 , [reg. 2\(2\)\(b\)](#)

#### <sup>F18</sup>**[3D] Publication of reports of performance reviews**

- (1) The Bank must give the Treasury a copy of any report made to the [<sup>F37</sup>court of directors] by a person appointed under section 3C to conduct a performance review (as defined by subsection (3) of that section).
- (2) Subject to subsection (3), the Bank must also publish the report.
- (3) Subsection (2) does not require the publication of information whose publication at the time when the report is made would in the opinion of the court of directors of the Bank be against the public interest.
- (4) Where the court of directors decides under subsection (3) that publication of information at the time when the report is made would be against the public interest, it must keep under consideration the question of whether publication of the information would still be against the public interest.
- (5) Where the court of directors decides that publication of any information is no longer against the public interest, the Bank must publish the information.
- (6) The Treasury must lay before Parliament a copy of any report or other information published by the Bank under this section.]

#### Textual Amendments

- F18** Ss. 3A-3F substituted for s. 3 (1.4.2013) by [Financial Services Act 2012 \(c. 21\)](#) , **ss. 3(2)** , 122(3) (with [Sch. 20](#) ) ; S.I. 2013/423 , [art. 3](#) ,
- F37** Words in s. 3D(1) substituted (6.7.2016) by [Bank of England and Financial Services Act 2016 \(c. 14\)](#) , s. 41(3) , **Sch. 2 para. 6** (with [Sch. 3](#) ) ; S.I. 2016/627 , [reg. 2\(2\)\(b\)](#)



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### <sup>F18</sup>**[3E Recommendations resulting from review**

- (1) This section applies where a report made by a person appointed under section 3C to conduct a review makes recommendations to the Bank as to steps to be taken by it.
- (2) The [<sup>F38</sup>court of directors ] must—
  - (a) monitor the Bank's response to the report, and
  - (b) if or to the extent that the Bank accepts the recommendations, monitor the implementation of the recommendations.]

#### **Textual Amendments**

- F18** Ss. 3A-3F substituted for s. 3 (1.4.2013) by [Financial Services Act 2012 \(c. 21\)](#) , **ss. 3(2)** , 122(3) (with [Sch. 20](#) ) ; [S.I. 2013/423](#) , [art. 3](#) ,
- F38** Words in s. 3E(2) substituted (6.7.2016) by [Bank of England and Financial Services Act 2016 \(c. 14\)](#) , [s. 41\(3\)](#) , **Sch. 2 para. 7** (with [Sch. 3](#) ) ; [S.I. 2016/627](#) , [reg. 2\(2\)\(b\)](#)

### <sup>F18</sup>**[3F Oversight [<sup>F39</sup>functions]: further provisions**

- (1) The documents to which the [<sup>F40</sup>court of directors] is to have access in the discharge of its [<sup>F41</sup>oversight] functions include documents considered, or to be considered, by the Financial Policy Committee [<sup>F42</sup>, the Monetary Policy Committee or the Prudential Regulation Committee] .
  - (2) One or two members of the [<sup>F43</sup>court of directors] may attend any meeting of the Financial Policy Committee [<sup>F44</sup>, the Monetary Policy Committee or the Prudential Regulation Committee for the purposes of exercising its oversight functions] , but a person attending by virtue of this subsection may not speak unless invited to do so by the person chairing the meeting.  

[ But a member of the court of directors who has any direct or indirect interest
- <sup>F45</sup>(2A) (including any reasonably likely future interest) in any dealing or business which falls to be considered by the Prudential Regulation Committee may not, under the powers conferred by this section—
- (a) obtain access to any documents relating to the dealing or business, or
  - (b) attend any proceedings of the Prudential Regulation Committee relating to any question arising from its consideration of the dealing or business.]
- (3) Subsection (2) does not affect—
    - (a) anything done in relation to the Financial Policy Committee [<sup>F46</sup>, the Monetary Policy Committee or the Prudential Regulation Committee] by a member of that Committee who is also a member of the [<sup>F47</sup>court of directors],
    - (b) the powers of the Financial Policy Committee under paragraph 13 of Schedule 2A, <sup>F48</sup> ...
    - (c) the powers of the Monetary Policy Committee under paragraph 13A of Schedule 3||<sup>F49</sup>, or
    - (d) the powers of the Prudential Regulation Committee under paragraph 15(2) of Schedule 6A.]

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### Textual Amendments

- F18** Ss. 3A-3F substituted for s. 3 (1.4.2013) by [Financial Services Act 2012 \(c. 21\)](#) , [ss. 3\(2\)](#) , 122(3) (with [Sch. 20](#) ) ; [S.I. 2013/423](#) , [art. 3](#) ,
- F39** Word in s. 3F heading substituted (6.7.2016) by [Bank of England and Financial Services Act 2016 \(c. 14\)](#) , [s. 41\(3\)](#) , [Sch. 2 para. 8\(6\)](#) (with [Sch. 3](#) ) ; [S.I. 2016/627](#) , [reg. 2\(2\)\(c\)](#)
- F40** Words in s. 3F(1) substituted (6.7.2016) by [Bank of England and Financial Services Act 2016 \(c. 14\)](#) , [s. 41\(3\)](#) , [Sch. 2 para. 8\(2\)\(a\)](#) (with [Sch. 3](#) ) ; [S.I. 2016/627](#) , [reg. 2\(2\)\(c\)](#)
- F41** Word in s. 3F(1) inserted (6.7.2016) by [Bank of England and Financial Services Act 2016 \(c. 14\)](#) , [s. 41\(3\)](#) , [Sch. 2 para. 8\(2\)\(b\)](#) (with [Sch. 3](#) ) ; [S.I. 2016/627](#) , [reg. 2\(2\)\(c\)](#)
- F42** Words in s. 3F(1) substituted (1.3.2017) by [Bank of England and Financial Services Act 2016 \(c. 14\)](#) , [s. 41\(3\)](#) , [Sch. 2 para. 8\(2\)\(c\)](#) (with [Sch. 3](#) ) ; [S.I. 2017/43](#) , [reg. 2\(g\)](#)
- F43** Words in s. 3F(2) substituted (6.7.2016) by [Bank of England and Financial Services Act 2016 \(c. 14\)](#) , [s. 41\(3\)](#) , [Sch. 2 para. 8\(3\)\(a\)](#) (with [Sch. 3](#) ) ; [S.I. 2016/627](#) , [reg. 2\(2\)\(c\)](#)
- F44** Words in s. 3F(2) substituted (1.3.2017) by [Bank of England and Financial Services Act 2016 \(c. 14\)](#) , [s. 41\(3\)](#) , [Sch. 2 para. 8\(3\)\(b\)](#) (with [Sch. 3](#) ) ; [S.I. 2017/43](#) , [reg. 2\(g\)](#)
- F45** S. 3F(2A) inserted (1.3.2017) by [Bank of England and Financial Services Act 2016 \(c. 14\)](#) , [s. 41\(3\)](#) , [Sch. 2 para. 8\(4\)](#) (with [Sch. 3](#) ) ; [S.I. 2017/43](#) , [reg. 2\(g\)](#)
- F46** Words in s. 3F(3)(a) inserted (1.3.2017) by [Bank of England and Financial Services Act 2016 \(c. 14\)](#) , [s. 41\(3\)](#) , [Sch. 2 para. 8\(5\)\(a\)\(i\)](#) (with [Sch. 3](#) ) ; [S.I. 2017/43](#) , [reg. 2\(g\)](#)
- F47** Words in s. 3F(3)(a) substituted (6.7.2016) by [Bank of England and Financial Services Act 2016 \(c. 14\)](#) , [s. 41\(3\)](#) , [Sch. 2 para. 8\(5\)\(a\)\(ii\)](#) (with [Sch. 3](#) ) ; [S.I. 2016/627](#) , [reg. 2\(2\)\(c\)](#)
- F48** Word in s. 3F(3)(b) omitted (1.3.2017) by virtue of [Bank of England and Financial Services Act 2016 \(c. 14\)](#) , [s. 41\(3\)](#) , [Sch. 2 para. 8\(5\)\(b\)](#) (with [Sch. 3](#) ) ; [S.I. 2017/43](#) , [reg. 2\(g\)](#)
- F49** S. 3F(3)(d) inserted (1.3.2017) by [Bank of England and Financial Services Act 2016 \(c. 14\)](#) , [s. 41\(3\)](#) , [Sch. 2 para. 8\(5\)\(c\)](#) (with [Sch. 3](#) ) ; [S.I. 2017/43](#) , [reg. 2\(g\)](#)

## 4 Annual report by the Bank.

- (1) As soon as practicable after the end of each of its financial years, the Bank shall make to the Chancellor of the Exchequer a report on its activities in that year.
- (2) A report under this section shall, in particular, contain—
  - <sup>F50</sup>(a) a report by the court of directors on the matters which it reviews, monitors or otherwise considers in the performance of its oversight functions (as defined by section 3A(2)),]
  - <sup>F51</sup>(aa) a report by the court of directors on the activities of the Financial Policy Committee of the Bank, and]
  - (b) a copy of the [<sup>F52</sup>statements] for the year prepared under section 7(2) [<sup>F53</sup>and (2A)] and the report of the Bank’s auditors on [<sup>F54</sup>them] .
- <sup>F55</sup>( 3 ) . . . . .
- (4) A report under this section shall also contain—
  - (a) a statement of the rate or rates at which [<sup>F56</sup>non-executive directors] of the Bank have been remunerated in the financial year to which the report relates, and
  - (b) a statement of the Bank’s objectives and strategy, as determined by the court of directors of the Bank, for the financial year in which the report is made.
- (5) The Bank shall publish every report under this section in such manner as it thinks appropriate.

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(6) The Chancellor of the Exchequer shall lay copies of every report under this section before Parliament.

[<sup>F57</sup>(7) The Chancellor may comply with subsection (6) by laying a document containing a report under this section together with a report by the Prudential Regulation Authority under paragraph 19 of Schedule 1ZB to the Financial Services and Markets Act 2000.]

#### Textual Amendments

- F50** S. 4(2)(a) substituted (6.7.2016) by Bank of England and Financial Services Act 2016 (c. 14), s. 41(3), **Sch. 2 para. 9(2)** (with Sch. 3); S.I. 2016/627, reg. 2(2)(d)
- F51** S. 4(2)(aa) substituted for preceding word (1.4.2013) by Financial Services Act 2012 (c. 21), s. 122(3), **Sch. 1 para. 1** (with Sch. 20); S.I. 2013/423, art. 3, Sch.
- F52** Word in s. 4(2)(b) substituted (1.3.2017) by Bank of England and Financial Services Act 2016 (c. 14), s. 41(3), **Sch. 2 para. 9(3)(a)** (with Sch. 3); S.I. 2017/43, reg. 2(g)
- F53** Words in s. 4(2)(b) inserted (1.3.2017) by Bank of England and Financial Services Act 2016 (c. 14), s. 41(3), **Sch. 2 para. 9(3)(b)** (with Sch. 3); S.I. 2017/43, reg. 2(g)
- F54** Word in s. 4(2)(b) substituted (1.3.2017) by Bank of England and Financial Services Act 2016 (c. 14), s. 41(3), **Sch. 2 para. 9(3)(c)** (with Sch. 3); S.I. 2017/43, reg. 2(g)
- F55** S. 4(3) omitted (6.7.2016) by virtue of Bank of England and Financial Services Act 2016 (c. 14), s. 41(3), **Sch. 2 para. 9(4)** (with Sch. 3); S.I. 2016/627, reg. 2(2)(d)
- F56** Words in s. 4(4)(a) substituted (19.2.2013 for specified purposes, 1.4.2013 in so far as not already in force) by Financial Services Act 2012 (c. 21), s. 122(3), **Sch. 2 para. 4** (with Sch. 20); S.I. 2013/113, art. 2(2), Sch. Pt. 4; S.I. 2013/423, art. 3, Sch.
- F57** S. 4(7) inserted (1.3.2017) by Bank of England and Financial Services Act 2016 (c. 14), s. 41(3), **Sch. 2 para. 9(5)** (with Sch. 3); S.I. 2017/43, reg. 2(g)

## 5 Custody and use of the seal.

- (1) The court of directors of the Bank shall have custody of the Bank's seal.
- (2) The seal shall only be affixed to an instrument if the affixation has been authorised by the court or by a sub-committee of the court acting in exercise of delegated authority.
- (3) The affixing of the seal shall be attested by the signature of—
  - (a) two members of the court,
  - (b) one member of the court and the secretary to the court, or
  - (c) two other officers of the Bank authorised by the court for the purpose.

**Status:**

Point in time view as at 28/11/2017.

**Changes to legislation:**

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