



Banking Act 2009

2009 CHAPTER 1

PART 7

MISCELLANEOUS

Investment banks

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- (1) In this group of sections “investment bank” means an institution which satisfies the following conditions.
- (2) Condition 1 is that the institution has permission under Part 4 of the Financial Services and Markets Act 2000 to carry on the regulated activity of—
 - (a) safeguarding and administering investments,
 - (b) dealing in investments as principal, or
 - (c) dealing in investments as agent.
- (3) Condition 2 is that the institution holds client assets.
- (4) In this group of sections “client assets” means assets which an institution has undertaken to hold for a client (whether or not on trust and whether or not the undertaking has been complied with).
- (5) Condition 3 is that the institution is incorporated in, or formed under the law of any part of, the United Kingdom.
- (6) The Treasury may by order—
 - (a) provide that a specified class of institution, which has a permission under Part 4 of the Financial Services and Markets Act 2000 to carry on a regulated activity, is to be treated as an investment bank for the purpose of this group of sections;
 - (b) provide that a specified class of institution is not to be treated as an investment bank for the purpose of this group of sections;

Status: This is the original version (as it was originally enacted).

- (c) provide that assets of a specified kind, or held in specified circumstances, are to be or not to be treated as client assets for the purpose of this group of sections;
- (d) amend a provision of this section in consequence of provision under paragraph (a), (b) or (c).