

ENTERPRISE AND REGULATORY REFORM ACT 2013

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1: Uk Green Investment Bank Plc

Section 4: Financial assistance

40. *Section 4* makes provision with respect to *vires* for funding for the UK Green Investment Bank plc at a time when the Crown owns more than half of its issued share capital.
41. *Subsection (1)* provides that, where the Secretary of State has made an order designating the UK Green Investment Bank plc under subsection (1) of section 2, the Secretary of State may give financial assistance to the UK Green Investment Bank plc, with the consent of HM Treasury.
42. *Subsection (2)* clarifies that the financial assistance may be given to the UK Green Investment Bank plc in any form. *Subsection (3)* provides examples of the forms which the financial assistance may take.
43. *Subsection (4)* sets out that any financial assistance provided to the UK Green Investment Bank plc may be subject to terms and conditions that the Secretary of State considers appropriate, with the consent of HM Treasury. For instance, there might be a requirement to repay a grant.
44. *Subsection (5)* provides that HM Treasury may fund loans to the UK Green Investment Bank plc from the National Loans Fund.
45. *Subsection (6)* provides that this section does not operate to exclude the provision of financial assistance to the UK Green Investment Bank plc by either the Secretary of State or HM Treasury at a time when the UK Green Investment Bank plc is no longer in majority Crown ownership. This may include, but is not limited to, the provision of financial assistance under the Banking Act 2009.