

## STATUTORY INSTRUMENTS

# 2004 No. 1045

## The Credit Institutions (Reorganisation and Winding up) Regulations 2004

### PART 5

#### *Third Country Credit Institutions*

#### Interpretation of this Part

36.—(1) In this Part—

(a) “relevant measure”, in relation to a third country credit institution, means—

(i) a winding up;

(ii) a provisional liquidation; <sup>F1</sup>...

(iii) an administration order made under paragraph 13 of Schedule B1 to the 1986 Act [<sup>F2</sup>, paragraph 14 of Schedule B1 to the 1989 Order,] section 8(1) of the 1986 Act [<sup>F3</sup>or Article 21(1) of the 1989 Order] as the case may be; [<sup>F4</sup>or

(iv) the making of a stabilisation instrument.]

(b) “third country credit institution” means a person—

(i) who has permission under the 2000 Act to accept deposits or to issue electronic money as the case may be; and

(ii) whose head office is not in the United Kingdom <sup>F5</sup>....

(2) In paragraph (1), the definition of “third country credit institution” must be read with—

(a) section 22 of the 2000 Act;

(b) any relevant order made under that section; and

(c) Schedule 2 to that Act.

#### Textual Amendments

**F1** Word in reg. 36(1)(a) omitted (10.1.2015) by virtue of [The Bank Recovery and Resolution \(No. 2\) Order 2014 \(S.I. 2014/3348\)](#), art. 1(2), [Sch. 3 para. 10\(11\)\(a\)](#)

**F2** Words in reg. 36(1)(a)(iii) substituted (6.4.2007) by [The Credit Institutions \(Reorganisation and Winding Up\) \(Amendment\) Regulations 2007 \(S.I. 2007/830\)](#), regs. 1, [2\(17\)\(a\)](#)

**F3** Words in reg. 36(1)(a)(iii) inserted (6.4.2007) by [The Credit Institutions \(Reorganisation and Winding Up\) \(Amendment\) Regulations 2007 \(S.I. 2007/830\)](#), regs. 1, [2\(17\)\(b\)](#)

**F4** Reg. 36(1)(a)(iv) and word added (10.1.2015) by [The Bank Recovery and Resolution \(No. 2\) Order 2014 \(S.I. 2014/3348\)](#), art. 1(2), [Sch. 3 para. 10\(11\)\(b\)](#)

**F5** Words in reg. 36(1)(b)(ii) omitted (31.12.2020) by virtue of [The Credit Institutions and Insurance Undertakings Reorganisation and Winding Up \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/38\)](#), regs. 1(3), [3\(18\)](#); 2020 c. 1, Sch. 5 para. 1(1)

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**Changes to legislation:** The Credit Institutions (Reorganisation and Winding up) Regulations 2004, PART 5 is up to date with all changes known to be in force on or before 25 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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### Application of these Regulations to a third country credit institution

[<sup>F6</sup>37. Regulation 9 applies where a third country credit institution is subject to a relevant measure, and is to be read for that purpose as if a reference to the institution or, in paragraph (6), to the credit institution included a reference to a third country credit institution.]

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#### Textual Amendments

**F6** Reg. 37 substituted (31.12.2020) by [The Credit Institutions and Insurance Undertakings Reorganisation and Winding Up \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/38\)](#), regs. 1(3), **3(19)**; 2020 c. 1, Sch. 5 para. 1(1)

### Disclosure of confidential information: third country credit institution

<sup>F7</sup>38. ....

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#### Textual Amendments

**F7** Reg. 38 omitted (31.12.2020) by virtue of [The Credit Institutions and Insurance Undertakings Reorganisation and Winding Up \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/38\)](#), regs. 1(3), **3(20)**; 2020 c. 1, Sch. 5 para. 1(1)

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**Changes and effects yet to be applied to :**

- Regulations revoked by [2023 c. 29 Sch. 1 Pt. 2](#)