

SCHEDULE 4

Regulation 29(2)

Consequential amendments to other primary legislation

Amendment of the Consumer Credit Act 1974

1. In subsection (1C) of section 25 of the Consumer Credit Act 1974⁽¹⁾ (licensee to be a fit person), for “Annex 1 to the banking consolidation directive (2000/12/EC)” substitute “Annex 1 to Directive 2006/48/EC of the European Parliament and of the Council of 14 June 2006 relating to the taking up and pursuit of the business of credit institutions.”.

Amendment of the Companies Act 1985

2.—(1) The Companies Act 1985⁽²⁾ is amended as follows.

(2) In subsection (2)(b) of section 209 (interests to be disregarded), for “article 1(1)(a)” substitute “Article 4(1)(a)”.

(3) In the definition of “credit institution” in each of subsection (1) of section 262 (minor definitions)⁽³⁾ and subsection (3) of section 699A (credit and financial institutions to which the Bank Branches Directive (89/117/EEC)⁽⁴⁾ applies), for “article 1(1)(a) of Directive 2000/12/EC of the European Parliament and of the Council of 20 March 2000” substitute “Article 4(1)(a) of Directive 2006/48/EC of the European Parliament and of the Council of 14 June 2006”.

Amendment of the Building Societies Act 1986

3. In section 119 of the Building Societies Act 1986⁽⁵⁾ (interpretation), for subsection (2B) substitute—

“(2B) In this Act “the Banking Consolidation Directive” means Directive 2006/48/EC of the European Parliament and of the Council of 14 June 2006 relating to the taking up and pursuit of the business of credit institutions.”.

Amendment of the Bank of England Act 1998

4. In section 17 of the Bank of England Act 1998⁽⁶⁾ (power to obtain information), for subsection (7C) substitute—

“(7C) “Financial holding company” has the meaning given by Article 4(19) of Directive 2006/48/EC of the European Parliament and of the Council of 14 June 2006 relating to the taking up and pursuit of the business of credit institutions.”.

Amendment of the Criminal Justice Act 1993

5. Section 70 of the Criminal Justice Act 1993⁽⁷⁾ (penalties under implementation regimes) is amended as follows—

(a) in subsection (2)(a), for “Article 29 of Directive 2000/12/EC of the European Parliament and of the Council of 20 March 2000” substitute “Article 43 of Directive 2006/48/EC of the European Parliament and of the Council of 14 June 2006”;

(1) 1974 c.39; subsection 1C was amended by S.I. 2001/3649.

(2) 1985 c.5; subsection 2 was amended by S.I. 2001/3649.

(3) section 262 was amended by S.I. 2000/2952 and S.I. 2002/765.

(4) section 699A was inserted by S.I. 1992/3179 and amended by S.I. 2000/2952 and S.I. 2002/765.

(5) 1986 c.53; subsection (2B) was inserted by S.I. 1996/1669 and amended by S.I. 2002/2952 and S.I. 2004/1862.

(6) 1998 c.11; subsection (7C) was inserted by S.I. 2001/3649 and amended by S.I. 2004/1862.

(7) 1993 c.36; section 70 was amended by S.I. 2000/2952.

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

- (b) in subsection (2)(b), for “Articles 52, 55 and 56” substitute “Articles 127(2) and (3), 137 and 139 to 142”.

Amendment of the Terrorism Act 2000

6.—(1) The Terrorism Act 2000⁽⁸⁾ is amended as follows.

(2) In Part 1 of Schedule 3A (regulated sector and supervisory authorities), for paragraph 3(3) substitute—

“(3) The “Banking Consolidation Directive” means Directive [2006/48/EC](#) of the European Parliament and of the Council of 14 June 2006 relating to the taking up and pursuit of the business of credit institutions.”.

(3) In paragraph 6(1)(g) of Schedule 6 (financial information)⁽⁹⁾, for “Directive [2000/12/EC](#) of the European Parliament and of the Council” substitute “Directive [2006/48/EC](#) of the European Parliament and of the Council of 14 June 2006”.

Amendment of the Proceeds of Crime Act 2002

7. In Part 1 of Schedule 9 to the Proceeds of Crime Act 2002⁽¹⁰⁾ (regulated sector and supervisory authorities), for paragraph 3(3) substitute—

“(3) The “Banking Consolidation Directive” means Directive [2006/48/EC](#) of the European Parliament and of the Council of 14 June 2006 relating to the taking up and pursuit of the business of credit institutions.”.

⁽⁸⁾ [2000 c.11](#); Schedule 3A was inserted by the Anti-terrorism Crime and Security Act [2001 c.24](#).

⁽⁹⁾ Paragraph 6(1)(g) of Schedule 6 was amended by [S.I. 2000/2952](#).

⁽¹⁰⁾ [2002 c.29](#); Schedule 9 was substituted by [S.I. 2003/3074](#).