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## EXPLANATORY NOTE

*(This note is not part of the Rules)*

These Rules amend the Bank Administration (England and Wales) Rules 2009 (S.I. 2009/357) (“the Bank Administration Rules”) to—

- (j) provide that the reference to the Insolvency Rules 1986 (S.I. 1986/1925) in the Bank Administration Rules includes all amendments to the Insolvency Rules 1986 up to and including those made by the Insolvency (Amendment) Rules 2009 (S.I. 2009/642) and the Insolvency (Amendment) (No.2) Rules 2009 (S.I. 2009/2472) (“the 2009 amending instruments”) (rule 5);
- (k) provide for the statement of proposals to be sent to the FSA and the FSCS (rule 8);
- (l) provide for the disapplication of set-off for protected deposits up to the Financial Service Compensation Scheme’s statutory limit (rule 15);
- (m) modify rules 33, 48 and the table of applied provisions in rule 61 of the Bank Administration Rules to reflect the substitution of paragraph 79 for paragraph 80 in section 145 of the Banking Act 2009 and the corresponding amendment to section 153 of the Banking Act (made by section 21 of the Financial Services Act 2010); (rules 9, 16 and 18);
- (n) reflect amendments made to the Insolvency Rules 1986 by the 2009 amending instruments (rule 18); and
- (o) make other minor amendments to the Bank Administration Rules.

An Impact Assessment on the effect of the amendments to the Bank Administration (England and Wales) Rules 2009 (S.I. 2009/357) has been prepared and may be obtained from the Financial Regulatory Strategy team, HM Treasury, 1 Horse Guards Road, London, SW1A 2HQ. It is also available on HM Treasury’s website ([www.hm-treasury.gov.uk](http://www.hm-treasury.gov.uk)).