

## STATUTORY INSTRUMENTS

# 2014 No. 3350

## The Banking Act 2009 (Restriction of Special Bail-in Provision, etc. ) Order 2014

### Interpretation

2.—(1) In this Order—

“the Act” means the Banking Act 2009;

[<sup>F1</sup>“bail-in liability has the meaning given in section 2(1) of the Banking Act 2009]

“the Bank” means the Bank of England;

“banking institution” means—

- (a) a bank <sup>M1</sup>;
- (b) an investment firm <sup>M2</sup>;
- (c) a banking group company;
- (d) [<sup>F2</sup>a third-country institution (within the meaning of section 89JA of the Act (resolution of UK branches of third-country institutions)).]

<sup>F3</sup> ...

“netting arrangements” has the meaning given in section 48P(2) of the Act;

“relevant banking institution” has the meaning given in article 3(2);

“set-off arrangements” has the meaning given in section 48P(2) of the Act;

“title transfer collateral arrangements” has the meaning given in section 48P(2) of the Act;

“transferable securities” has the meaning given in Article [<sup>F4</sup>2.1(24) of Regulation (EU) No. 600/2014 of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Regulation (EU) No 648/2012], but does not include securities (within the meaning of section 14 of the Act <sup>M3</sup>) issued by the relevant banking institution.

(2) References to sections of the Act include, as the context requires, those sections [<sup>F5</sup>as applied with or without modifications by that Act, as that Act has effect on the day on which the Bank Recovery and Resolution [<sup>F6</sup>(Amendment) (EU Exit) Regulations 2018 come] into force].

### Textual Amendments

- F1** Words in art. 2(1) inserted (28.12.2020) by [The Bank Recovery and Resolution \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1350\)](#), regs. 1(2), **28(2)(a)**
- F2** Words in art. 2(1) inserted (16.12.2016) by [The Bank Recovery and Resolution Order 2016 \(S.I. 2016/1239\)](#), arts. 1(2), **39(2)(a)**
- F3** Words in art. 2(1) omitted (28.12.2020) by virtue of [The Bank Recovery and Resolution \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1350\)](#), regs. 1(2), **28(2)(b)**

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**Changes to legislation:** *There are currently no known outstanding effects for the The Banking Act 2009 (Restriction of Special Bail-in Provision, etc. ) Order 2014, Section 2. (See end of Document for details)*

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- F4** Words in art. 2(1) substituted (31.12.2020) by The Bank Recovery and Resolution and Miscellaneous Provisions (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1394), reg. 1(2), **Sch. 4 para. 7(2)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in art. 2(2) substituted (16.12.2016) by The Bank Recovery and Resolution Order 2016 (S.I. 2016/1239), arts. 1(2), **39(2)(b)**
- F6** Words in art. 2(2) substituted (31.12.2020) by The Bank Recovery and Resolution and Miscellaneous Provisions (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1394), reg. 1(2), **Sch. 4 para. 7(2)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

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**Marginal Citations**

- M1** Defined in section 2 of the Act.
- M2** Defined in section 258A of the Act. Section 258A was inserted by the [Financial Services Act 2012 \(c.21\)](#), **section 101**.
- M3** Amended by SI 2013/3115.

**Changes to legislation:**

There are currently no known outstanding effects for the The Banking Act 2009 (Restriction of Special Bail-in Provision, etc. ) Order 2014, Section 2.