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## EXPLANATORY NOTE

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

The Order is made for the purpose of enabling Part 1 of the Banking Act 2009 to be used effectively in connection with the sale of Silicon Valley Bank UK Limited to a private sector purchaser.

Article 2 modifies the application of Article 14(4) of the Financial Services and Markets Act 2000 (Excluded Activities and Prohibitions) Order 2014 ([S.I. 2014/2080](#)) so that the requirement for transactions to take place at arms-length is removed.

Article 3 modifies certain rule-making powers in the Financial Services and Markets Act 2000 ([c. 8](#)) so that they are exercisable by the Prudential Regulation Authority and the Financial Conduct Authority in connection with the Silicon Valley Bank UK Limited Mandatory Reduction and Share Transfer Instrument 2023 (“the transfer instrument”).

Article 4 modifies certain duties of the FCA and the PRA to consult on rule changes, where the rules relate to the transfer instrument.

A full impact assessment has not been produced for this instrument, as no, or no significant, impact on the private, voluntary or public sector is foreseen.