

2017 No. 00 (C. 0)

FINANCIAL SERVICES AND MARKETS

**The Financial Services (Banking Reform) Act 2013
(Commencement No. 1) (England and Wales) Order 2017**

Made - - - -

00 January 2017

The Treasury make the following Order in exercise of the powers conferred by sections 148(5) and (6) of the Financial Services (Banking Reform) Act 2013(a).

Citation and interpretation

1.—(1) This Order may be cited as the Financial Services (Banking Reform) Act 2013 (Commencement No. 1) (England and Wales) Order 2017.

(2) In this Order “the Act” means the Financial Services (Banking Reform) Act 2013.

Appointed day for the coming into force of section 112 for purpose of making an order under subsection (4)

2. So far as it extends to England and Wales, section 112 of the Act (interpretation: infrastructure companies) comes into force on [16th February 2017] for the purpose of making an order under subsection (4) of that section.

Appointed day for the coming into force of section 112 and other provisions of Part 6, so far as not already in force

3. So far as they extend to England and Wales, the following provisions of the Act come into force on [6th April 2017]—

- (a) section 112 of the Act, so far as that section is not already in force by virtue of article 2;
- (b) section 121(1) and (3) of the Act, so far as that section is not already in force(b); and
- (c) all other provisions of Part 6 of the Act (special administration for operators of certain infrastructure systems) for all purposes.

Name

Name

Date

Two of the Lords Commissioners of Her Majesty’s Treasury

(a) 2013 c. 33.

(b) Section 121(1) and (3) was brought into force for limited purposes on 1st March 2014 by the Financial Services (Banking Reform) Act 2013 (Commencement No. 1) Order 2014 (S.I. 2014/377), article 2(1)(b) and the Schedule, Part 2.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings Part 6 of the Financial Services (Banking Reform) Act 2013 (c. 33) (“the Act”) into force, so far as it is not already in force, but only in England and Wales. This is the first commencement order made under the Act which relates only to England and Wales.

Part 6, including Schedules 6 and 7, makes provision for the special administration of infrastructure companies. An infrastructure company is a company which is—

- the operator of a recognised inter-bank payment system (as defined in section 113(1) of the Act), other than a recognised central counterparty (as defined by section 285 of the Financial Services and Markets Act 2000 (c. 8));
- the operator of a securities settlement system (as defined in section 113(1) of the Act); or
- a company designated by the Treasury.

The Treasury may by order designate a company if it provides services to an operator of either kind referred to above and the Treasury are satisfied that an interruption in the provision of those services would have a serious adverse effect on the effective operation of the recognised inter-bank payment system or securities settlement system in question.

For the purpose only of making such an order, article 2 of this Order commences section 112 of the Act on [16th February] 2017.

This Order commences section 112 of the Act, so far as not commenced by article 2, section 121 of the Act, so far as not already in force, and all other provisions of Part 6 of the Act on [6th April] 2017.

An impact assessment was prepared for Part 6 of the Act and is available on HM Treasury’s website (www.gov.uk/treasury) or from HM Treasury, 1 Horse Guards Road, London SW1A 2HQ. It is annexed to the Explanatory Memorandum for this Order. This Order will have no separate impact on the costs of business and the voluntary sector, and for that reason no further impact assessment has been produced.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Act have been brought into force by commencement orders made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 4 (partially)	1st March 2014	2014/377
Section 4 (for the purpose of inserting section 142H of the Financial Services and Markets Act 2000)	21st April 2016	2016/512
Section 6	1st March 2014	2014/377
Section 13	31st December 2014	2014/3160
Sections 14 and 15	1st March 2014	2014/377
Section 16	1st April 2014	2014/377
Section 17 (partially)	1st March 2014	2014/377
Section 17 (so far as not already in force)	31st December 2014	2014/3160
Section 18 (partially)	25th July 2014	2014/1819
Section 18 (so far as not already in force)	7th March 2016	2015/490
Section 19	25th July 2014	2014/1819
Section 20 (partially)	25th July 2014	2014/1819
Section 20 (so far as not already in force)	7th March 2016	2015/490
Sections 21 to 26	7th March 2016	2015/490
Sections 27 and 28	25th July 2014	2014/1819
Section 29 (partially)	25th July 2014	2014/1819
Section 29 (for the purpose of inserting section 63F of the Financial Services and Markets Act 2000)	7th March 2016	2015/490
Section 29 (so far as not already in force)	7th March 2016 [2017]	2015/490
Section 30 (partially)	25th July 2014	2014/1819
Section 30 (partially)	7th March 2016	2015/490
Section 31 (partially)	25th July 2014	2014/1819
Section 31 (so far as not already in force)	7th March 2016	2015/490
Section 32 (partially)	7th March 2016	2015/490
Section 32 (so far as not already in force)	10th May 2016	2016/568
Section 33	25th July 2014	2014/1819
Section 34	7th March 2016	2015/490
Section 35 (partially)	25th July 2014	2014/1819
Section 35 (so far as not already in force)	7th March 2016	2015/490
Sections 36 to 38	7th March 2016	2015/490
Sections 39 to 58	1st March 2014	2014/377
Sections 68 to 110	1st March 2014	2014/377
Section 59	1st April 2014	2014/823
Section 60(1), (2), (3) and (7)	1st April 2014	2014/823
Section 60 (so far as not already in force)	1st April 2015	2014/2458
Section 61 (partially)	1st November 2014	2014/2458
Section 61 (so far as not already in force)	1st April 2015	2014/2458
Section 62	1st April 2015	2014/2458
Sections 63 to 66	1st April 2014	2014/823
Section 67(2) (partially)	1st November 2014	2014/2458
Section 67(3), (4) and (5)	1st April 2014	2014/823
Section 67 (so far as not already in force)	1st April 2015	2014/2458
Section 121(1) (partially)	1st March 2014	2014/377

Section 121(3) (partially)	1st March 2014	2014/377
Section 129 (partially)	1st November 2014	2014/2458
Section 129 (so far as not already in force)	1st April 2015	2014/2458
Section 130	1st March 2014	2014/377
Section 132	1st March 2014	2014/377
Section 133(1) (so far as it inserts section 192JB of the Financial Services and Markets Act 2000)	31st December 2014	2014/3160
Section 133(2)(a)	31st December 2014	2014/3160
Section 134	1st March 2014	2014/377
Section 135	1st March 2014	2014/377
Section 136	1st March 2014	2014/377
Section 137	1st March 2014	2014/377
Section 139	21st March 2014	2014/772
Section 140(1) to (3)	21st March 2014	2014/772
Section 140(4) to (6)	21st March 2014	2014/785
Section 141 (partially)	1st March 2014	2014/377
Section 141 (so far as not already in force)	1st April 2014	2014/377
Schedule 1	1st March 2014	2014/377
Schedule 2, paragraph 4 (so far as it inserts section 48P of the Banking Act 2009)	1st March 2014	2014/377
Schedule 2, paragraph 6(8) (so far as it inserts sections 60A and 60B of the Banking Act 2009)	1st March 2014	2014/377
Schedule 2 (so far as not already in force)	31st December 2014	2014/3160
Schedule 3, paragraph 2 (partially)	25th July 2014	2014/1819
Schedule 3, paragraphs 7, 8, 9, 16(b)(i), 17(b)(i), 19(2)(b)(i) and 19(3)(b)(i)	25th July 2014	2014/1819
Schedules 4 and 5	1st March 2014	2014/377
Schedule 8, paragraphs 3 and 9 (both partially)	1st November 2014	2014/2458
Schedule 8, paragraphs 4, 5 and 7	1st November 2014	2014/2458
Schedule 8 (so far as not already in force)	1st April 2015	2014/2458
Schedule 10, paragraphs 1, 2 and 4 to 9	1st March 2014	2014/377
Schedule 10, paragraph 3	1st April 2014	2014/377
Schedule 10, paragraph 10 (partially)	1st March 2014	2014/377
Schedule 10, paragraph 10 (so far as not already in force)	1st June 2014	2014/377
