

Index

9/11 terrorist attacks, 286	Asian financial crisis (1990s), 2, 69, 72, 92
ABN AMRO, 151, 183	asset-backed securities, 24–25, 44, 104–105, 264 asset price bubbles, xvii, 44, 398
	*
Acciaiuoli banking family, 10	Australia
administrative sanctions	agreed liquidity policy, 88
due process in appealing under EU law, 381–383	approach to financial regulation, 56
EU Capital Requirements Directive IV (CRD IV),	expansion of multinational banks, 28–29
374–379	mutuals, 87
EU sanctions for regulatory breach, 374–383	Australian Competition and Consumer Commission, 56
European Convention on Human Rights (ECHR) and the ECtHR, 379–383	Australian Investment and Securities Commission (AISC), 56
Financial Services and Markets Act 2000 (UK), 383	Australian Prudential Regulatory Authority (APRA), 56
Halifax Bank of Scotland (HBOS), 383-386	
property rights of bank shareholders and creditors, 381	'bad' banks, 2
proportionality principle, 380–381	bail-in tool (EU), 196-200
UK sanctions for breach of prudential regulation,	bail-inable debt, 89
383–386	Baker, Ronald, 137-138
Advanced Internal Ratings Based Approach (AIRB), 103	balance sheet management, 101
adverse selection, 36	bancassurance, 27
agency problems, 34-37	Banco Ambrosiano collapse, 66
adverse selection, 36	bank
caused by information asymmetry, 35	definition, 295-298
effects of loan interest rate, 36-37	origin of the term, 10
hidden action, 35-36	bank capital
hidden information, 35-36	components of, 87
market failures caused by, 37	consequence of poor regulation, 86
moral hazard, 35-36	consideration of riskiness of assets, 89-90
principal-agent framework, 36	difficulty in valuing a bank's assets, 90
stakeholder groups affected by, 37	EU requirements, 116-118
Agra and Masterman bank collapse, 17	four main purposes, 87
AIG, 136	function in bank insolvency, 90
Alliance for Financial Inclusion, 343	level of loss-absorbent capital, 90
AML/CFT (anti-money laundering/counter-financing of	mutuals and credit unions, 87-88
terrorism), 286–290	structure of the balance sheet, 87
ancient Greece, 10	use of equity to deposits ratio, 88
ancient societies	use of liabilities to deposits ratio, 88
money trading in temples, 10	See also regulatory capital.
Aristotle	bank corporate governance
on usury, 10	Basel Committee and, 155-156
artificial intelligence (AI), 331, 341	corporate law, 131

457



458 Index

bank corporate governance (cont.) multiple points of entry (SPOE), 188-189 corporate law and directors' duties, 131-136 Orderly Liquidation Authority (OLA) (US), 186-189 post-Brexit membership in resolution financing enhanced disclosure, 160 influence on environmental sustainability risks, arrangements, 204-205 rationale for bank resolution regimes, 181-182 international standards, 128-131 recognising cross-border resolution decisions after market discipline, 160 Brexit, 203-204 single point of entry (SPOE), 188-189 objectives of, 128 regulating appointments to the bank management UK bank resolution regime, 182-186 bodies, 143-145 US bank resolution regime, 186-189 risk culture and, 308-311 bank runs, 299, 302 shareholder rights, 145-155 Northern Rock, 183 sound and prudent management principle, 127-143 related to loss of confidence, 19 supervisory review (Basel III, Pillar 2), 156-160 Stockholms Banco, 13-14 supervisory tools, 155-160 Bankhaus Herstatt, 21 bank failures banking crises early 1970s, 64 contagion effects, 44 Bank for International Settlements (BIS), Basel, 63-64 costs of, 43-45 bank insiders who leak inside information, 273-274 impacts of systemic financial risk, 40 bank insolvency and liquidation, 90 mitigating the costs of, 40-41 bank money, 13 social and economic impacts, 40-41 bank notes sources of systemic financial risk, 40 origins of the practice of issuing, 12 banking regulation Bank of America, 282, 288 agency problems, 34-37 mis-selling of residential mortgage-backed securities, 290 capture theory of regulation, 45-46 Bank of Amsterdam challenges of regulating shadow banking, 303-306 history of, 13 changing philosophy of, 48-50 consideration of stakeholder groups, 37 Bank of Credit and Commerce International (BCCI), 286 Bank of England, 1, 54, 93, 115, 137, 183 definition, 34 Financial Policy Committee, 54, 312, 400-401 designing functional banking regulation, 298-299 right to be a joint stock bank, 28 focus of risk culture regulation, 319-326 role as lender of last resort, 15 functional approach, 298-300 Bank of England Resolution Directorate, 184 future challenge of environmental sustainability, Bank of Scotland 357-364 influence on environmental sustainability risks, founding of, 14 Bank of the United States 357-364 non-renewal of its charter (1832), 17 institutional design, 50-58 bank outsourcing justification by costs of banking crises, 43-45 effects of Brexit, 203 justification for controlling systemic risk, 42 bank resolution macro-prudential approach, 49-50 bail-in tool (EU), 196-200 mitigating the costs of systemic risk, 40-41 creditor hierarchy under US OLA, 191-193 objectives, 33-34 potential to introduce distortion into the market, 45-46 development of bank resolution regimes, 177-179 effects of Brexit, 202-205 private interest theory of regulation, 45-46 European Union, 193-202 public interest theory of regulation, 45 FSB key attributes of effective resolution regimes, 165, responding to institutional and market innovations, 179-180 299-300 judicial review of US regulatory and resolution restoring trust, 413-415 measures, 390-392 safeguarding financial stability, 46-48 loss-absorbent capital, 190-191 systemic financial risk and, 39 minimum required eligible liability (MREL) (EU), theories of financial regulation, 45-46 200-202 weakness of the micro-prudential approach, 48-50



459 Index

Banking Standards Board (BSB), 316, 318-319 Basel Committee on Banking Supervision, 64-69, 78, 287, Banking Standards Review Council, 326 banking system, xviii addressing environmental sustainability risks, 363 bankruptcy bank corporate governance, 155-156 origin of the term, 10 Core Principles for Effective Banking Supervision, 129-130, 155-156, 267 banks core functions, 21 deliberation and decision-making process, 70-72 economic importance, 42-45 Liquidity Risk Management Principles, 109-113 effects of financial stability on risk-taking behaviour, Principles of Bank Corporate Governance (2010), 155 Basel Concordats, 62, 66 internalising the costs of their risk-taking, 40-41 behavioural bias RTGS payment system, 21 influence on investors, 240 societal costs of their risk-taking, 41-42 Belgium Barclays PLC, 29, 185, 212, 215-216, 289 bank resolution regime, 178 EURIBOR manipulation, 282 Financial Services and Markets Authority (FSMA), LIBOR manipulation, 282 178 mis-selling of residential mortgage-backed securities, Bernanke, Ben, 2 Beyeler v. Italy, 380, 389 Bardi banking family, 10 Bitcoin, 337-340 Barings Bank collapse (1995), 93, 134 BKash Limited, 345 director's duties and, 136-138 block-chain technology, 337 Bloomberg Commission, 360 Market Risk Amendment, 93 Board of Governors v. First Lincolnwood Corp, 152 narrow scope of risk evaluation, 92-93 BRAC Bank Limited, 345 regulatory capital requirements, 91-92 Bradford and Bingley bank collapse, 183 risk-based supervision, 90-93 Brazil, 412 risk-weighting system, 91-92 environmental risk management, 364 short-term lending incentives, 92 green governance, 361-362 See also Basel Capital Accord. regulatory capital requirements, 363 Basel II, 66-67, 70, 93-97 Brazilian Banking Association (Febraban) and the global financial crisis of 2007-2008, 98-99 environmental sustainability risk management, 362 flaws in the pre-crisis bank models, 98-99 Bretton Woods system, 407 leverage limits, 97-98 breakdown in the 1970s, 18, 279, 396 market-based governance models, 99 Brexit, 252 operational risk RWA, 97 designing a new trade agreement, 409 volatility-based models, 99 effects on bank outsourcing plans, 203 Basel III, xviii, 66-68, 77-78, 80-81, 86, 130-131, 363 effects on bank resolution and deposit guarantee comparison with Basel II, 106-108 schemes, 202-205 counter-cyclical capital regulation, 114-116 effects on membership in deposit guarantee schemes, criticisms of, 116, 401 EU bank capital and liquidity requirements, effects on membership in resolution financing 116-118 arrangements, 204-205 leverage ratio, 113-116 European Economic Area (EEA), 410 liquidity risk management, 109-113 European Free Trade Association (EFTA), 410-411 minimum capital (Pillar 1), 108-116 Norway model of trade with the EU, 410 supervisory review (Pillar 2), 156-160 potential regulatory issues, 408-409 three-pillar framework, 107-108 recognising cross-border resolution decisions, Basel IV, xviii, 119-121, 413 203-204 output floor, 120-122 regulatory parity and cross-border banking, 410-411 transition and implementation schedule, 85-124 relationship with the EU internal market, 408-409 Basel Capital Accord, 62, 66-67, 91, 155 Swiss model, 410-411 See also Basel I. British Banking Association, 280



460 Index

British banking crisis of 1866, 17 Bundesbank, 21 CAMELS rating, 159 Canada, 72

capital adequacy requirements, 25, 73 capture theory of regulation, 45-46 Cardano digital currency, 337

financial regulatory system, 57

Carney, Mark, 308, 348-349, 356 caveat emptor (buyer beware) relationship, 244

central bank digital currencies (CBDC), 339-340 central banks

control of the money supply and credit creation, 20 guarantor role for the inter-bank payment system, 21 lender of last resort function, 167 liquidity and lending facilities, 43

macro-prudential supervisory role, 52-53 provision of liquidity support for banks, 20

role in times of crisis, 52 RTGS payment system, 21

central counterparties, 78

Charles I, King, 12

Charles II, King

closure of the Exchequer in 1672, 12

Chartered Banker Professional Standards Board (CB:PSB), 316-317

China, 25

regulatory capital requirements, 363 China Banking Regulatory Commission (CBRC)

Green Credit Guidelines, 361-362, 364, 412

Christian bankers

effects of prohibition of usury, 10

Churchill, Winston, 1 Citicorp, 104, 341

Citigroup Inc., 129, 136, 282 LIBOR manipulation, 280-282

mis-selling of residential mortgage-backed securities,

climate change, 350-351, 355-356

Coase, Ronald, 38-39

theory of the firm, 23-24

Code of Hammurabi, 10

cognitive heuristics

use by investors, 240

collateral requirements, 400 collateralised bond obligations (CBOs), 102

collateralised debt obligations (CDOs), 24-25, 101-102

UBS exposure to, 105-106

collateralised loan obligations (CLOs), 102

collusion

potential prejudice to the public interest, 45-46

colonial banking regulations, 16-17

Committee on Payment and Market Infrastructure (CPMI),

Committee on Payment and Settlement Systems, 22, 64-65 See also Committee on Payment and Market Infrastructure (CPMI).

Committee on the Global Financial System, 64-65

competitive distortions, 47

complex collateralised debt obligations, 1

confidence, loss of

bank runs and, 19

consolidated supervision principle, 66

Constituent Charter of the Bank for International

Settlements of 1930, 63

contagion effects in banking crises, 44

Contogoulas, Stylianos, 282

contracts for differences (CFDs), 276

contractual estoppel, 244, 248

convertible capital instruments (Cocos), 88-89

core equity Tier 1 (CET1), 88

corporate bond market, 24

corporate finance theory, 45

corporate groups of universal banks, 27-28

corporate law

regulating appointments to the bank management

bodies, 143-145

relating to bank corporate governance, 131

counter-cyclical capital ratio, 107

counter-cyclical capital regulation, 75, 79, 400

under Basel III, 114-116

credit creation

control by central banks, 20

credit creation theory of banking, 18-19

credit crunch (2007), 100

credit cycles in economies, 50

credit default swaps, 1, 48, 99, 276

credit lines, 102

credit market

effect of liberalisation of financial markets, 24

credit risk RWA, 104

Credit Suisse, 282

mis-selling of residential mortgage-backed securities, 289

credit unions, 87

credit valuation adjustment (CVA) framework, 119

Crosby, James, 384

cross-currency settlement risk, 21

Cummings, Peter, 384-386

Customer Due Diligence (CDD) rules, 288

Cyprus, 89

Daiwa Bank, 136 Darling, Alistair, 169



461 Index

De Larosière Report, 320 debt liabilities on the balance sheet, 87 debt-to-income ratios, 79 Delaware General Corporation Law, 149-150 Denmark, 400 deposit guarantee schemes effects of Brexit, 202-205 EU Deposit Guarantee Directive 2014, 171-173 fixed claimants, 175 Icelandic banking crisis (2008-10), 168-169 inadequacy before the financial crisis, 164 International Association of Deposit Insurers (IADI), 169-170 lender of last resort, 174-175 membership post-Brexit, 204-205 moral hazard, 174-175 moral hazard and the US FDIC, 173-174 need for risk-based deposit insurance, 173-174 prompt corrective action, 175-177 rationale of, 165-168 deposit insurance, 167-168 deposit insurance schemes, 87 derivatives, 18, 28, 99 Deutsche Bank, 282, 321 developing countries barriers to financial technology, 344-345 financial inclusion, 343-345 digital automation, 331 digital currencies, 337-340 direct finance comparison with intermediation by banks, 22-24 directors' duties bank director misconduct and regulatory enforcement, 383-386 Barings Bank collapse, 134, 136-138 corporate law, 131-136 fiduciary duties, 132 regulatory law restructuring after the financial crisis, 127-141 sound and prudent management principle, 127-143 to shareholders, 131-132 to stakeholders, 132-133 UBS collapse, 135 violation of duty of care and skill, 133-134 disclosure bank disclosure of risks to investors, 359-360 discount houses, 15 Overend Gurney failure (1866), 17 disintermediation of banks banks' motivations for, 25 drivers of, 25-26

fixed-income investors, 25-26 increasing return on equity, 25 influence of Fintech (financial technology), 26-27 involvement in high-margin non-lending businesses, 25 peer-to-peer lending platforms, 26-27 risk with open banking, 336-337 securitisation and, 25-26 Dodd-Frank Act 2010 (US), 3, 33-57, 186-193, 223, 256, 390-392, 406 Dunfermline Building Society collapse, 183 duty of care limitations under English law, 244-245 East Asian banking crisis (1998-1999), 44 Eastern European banking crises (1990s), 44 economic capital management, 101-102 economic importance of banks, 42-45 endogenous risks, 98 environmental sustainability risks, xviii bank disclosure of risks to investors, 359-360 banking sector risks, 81-82 biophysical thresholds for the Earth, 350-351 categories of risk for the financial sector, 355-356 climate change, 350-351, 355-356 consideration in regulatory capital determination, EC High Level Expert Group on Sustainable Finance, economic effects of the dust bowls in 1930s US, 349 effects of financial policy and regulation, 353-355 extreme weather events, 349-351 financial structures, 363-364 future challenges for banking regulation, 411-413 green banking practices, 356-357 historic links between the environment and banking stability, 349-351 influence of bank governance, 360–362 international initiatives, 365-368 liability risks, 356 link with financial and economic risks, 348 losses caused by hurricanes, 349-350 physical risks, 355-356 risk management, 362 role of banking regulation, 357-364 role of banks in mitigating or reducing risks, 90-93 role of the banking sector, 351-353 role of the Basel Core Principles, 363 Sustainability Banking Network (SBN), 365-366 Tragedy of the Horizons (TOH), 348-349 transition risks, 356 types of sustainability challenges, 348 way forward for banking policy, 369-370

effects of liberalisation of financial markets, 24



462 Index

equity 'dark pools', 249
equity reserves, 87
equity to deposits ratio, 88
Ethereum digital currency, 337
EURIBOR rate-rigging, 282
euro area, 53
Eurocurrency Standing Committee, 64
European Banking Authority (EBA), 53, 141, 202, 256
Guidelines on internal governance, 141–142
Guidelines on management body suitability, 143–144
Remuneration Guidelines, 322
European Central Bank (ECB), 53, 398
Target 2 RTGS, 22
Target 2 RTGS example, 22

European Commission

draft legislation on representative actions, 258 High Level Expert Group on Sustainable Finance, 347–368

transparency directive, 277

European Commission proposal on structural reform,

general ban on certain trading activities, 223–224 ring-fencing and, 231–234

separation requirements, 226-228

subsidiarisation and ring-fencing requirements in national legislation, 224–226

trading activities triggering separation, 224–228 European Convention on Human Rights (ECHR), 153,

379–383 proportionality and regulatory decisions, 380

right to property, 381 European Court of Human Rights (ECtHR), 153, 379–383 European Deposit Insurance Scheme (EDIS) proposal, 172

European Economic Area (EEA), 409–410

European Free Trade Association (EFTA), 409-411

European Insurance and Occupational and Pension Authority, 53, 256

European Market Infrastructure Regulation (EMIR), 275 European Payments Union, 63

European Securities and Markets Authority (ESMA), 53, 203, 256, 276

Guidelines on Remuneration Policies and Practices, 251 European Supervisory Authorities (ESAs), 53

European System of Financial Supervision (ESFS), 53–54, 256

European Systemic Risk Board (ESRB), 53-54, 256, 358, 400

European Union (EU), 74, 89

administrative sanctions for regulatory breach, 374–383

bank capital and liquidity requirements, 116–118 Bank Recovery and Resolution Directive, 172 Capital Requirements Directive (CRD), 127-141

Capital Requirements Directive III, 320

Capital Requirements Directive IV (CRD IV), 374-379

Deposit Guarantee Directive 2014, 171-173

Disclosure Directive, 360-361

effects of Brexit on bank resolution and deposit

guarantee schemes, 202-205

implementation of the Basel Capital Accord, 71

Insurance Distribution Directive (IDD), 253

macro-prudential regulatory system, 53-54

Market Abuse Regulation (MAR), 253, 269–279

Markets in Financial Instruments Directive I (MiFID I), 241–243

Markets in Financial Instruments Directive II (MiFID II), 248–255. 340

Payment Services Directive 2 (PSD2), 332–334

proportionality principle, 380-381

European Union (EU) bank resolution

bail-in tool, 196-200

Bank Recovery and Resolution Directive (BRRD), 193-202

bridge institution tool, 196

creditor hierarchy under the BRRD, 194-196

minimum required eligible liability (MREL), 200-202

resolution tools, 196-202

sale of business tool, 196

externalities, 37-38

environmental effects of economic activities, 350–351 global financial crisis of 2007–2008, 129

extreme weather events, 349–351

Fair Equitable Markets Review 2015, 326

fiat money, 13-14

possible replacement with digital currency, 337

fiduciary duties of directors, 132

finality

definition, 21

Financial Action Task Force, 286

financial conglomerates, 27-28

financial crime and AML/CFT, 286-290

financial crisis of 2007-2008, xvii, 29-30

banks' failure to manage risk, 208

consequences of high leverage of banks, 86

contribution of bank risk culture, 308

contribution of international banking regulation, 73

contributory factors, 1-3

effects in Australia, 56

effects in Canada, 57

excessive credit based on asset securitisation, 44

G20 response, 74-75

inadequacy of deposit guarantee schemes, 164

lack of awareness of threats to the financial system, 1-3



463 Index

mitigating the costs of, 40-41

regulatory responses, 3, 396-399, 403-407 role of Basel II, 98-99 role of the central bank in the UK, 52 social and economic impacts, 40-41 systemic risks from non-bank financial institutions, 42 threat to global financial stability, 42 financial inclusion role of Fintech, 343-345 financial institutions internalising the costs of their risk-taking, 40-41 societal costs of their risk-taking, 41-42 financial intermediation theory of banking, 18-19 financial products development of trusted consumer products, xviii, 322-323 See also mis-selling of financial products. financial stability banking policy and, 46-48 defining, 46-47 influence on bank risk-taking, 47 Financial Stability Board (FSB), 39, 74, 78, 81, 320, 356, 398-399, 402 categories of climate-related risks, 355-356 collaboration with the IMF, 76-77 industry-led Task Force, 359-360 key attributes of effective bank resolution regimes, 165, 179-180 response to the financial crisis of 2007-2008, 75-77 total loss-absorbent capital (TLAC), 190 Financial Stability Forum, 100 Financial Stability Institute, 70 financial structures influence on environmental sustainability risks, 363-364 Fintech (financial technology) and the future of banking, 330-332 artificial intelligence (AI), 331, 341 barriers for developing countries, 344-345 Bitcoin, 337-340 block-chain technology, 337 central bank digital currencies (CBDC), 339-340 cloud-based services for banks, 331 digital automation, 331 digital currencies, 337-340 disruption of the traditional banking model, 330 e-finance, 331 e-lending platforms, 331-332 EU Payment Services Directive 2 (PSD2), 332-334

RegTech (regulation technology), 340-342 role in bank disintermediation, 26-27 role in financial inclusion, 343-345 UK open banking, 335-336 fixed claimants deposit insurance, 175 Fixed Income, Currency and Commodities Markets Standards Board (FMSB), 316-318 fixed-income investors, 25-26 Florentine banks, 10 Foundation Internal Ratings Based Approach (F-IRB), 103 fractional reserve banking, 20 origins of, 12 fractional reserve theory of banking, 18-19 framing effects influence on investors, 240 France bank resolution regime, 178-179 Franklin National Bank, New York insolvency, 64 functional model of supervision, 51 Funding Circle, 26, 331 funding risk for banks, 19 future challenges banking regulation and environmental sustainability, 411-413 Brexit and beyond, 408-411 developing a coherent macro-prudential-microprudential framework, 396-408 restoring trust in banking regulation, 413-415 G7 heads of state meeting 1998, 71 G8 transition to G20, 74 G10 central banks, 63-65 implementation of the Basel Capital Accord, 71-72 G20, 363 environmental and social risk reporting, 360 environmental sustainability, 354-355 High Level Principles for Digital Financial Inclusion (2016), 344 London and Pittsburgh Summit Statements, 74 regulatory reform related to misconduct, 265 regulatory reforms, 398 response to the financial crisis of 2007-2008, 74-75 rise of the G20 committees, 63-69 role in international banking regulatory reform, 61-62 Washington Action Plan, 74

Gamby, Anthony, 137-138

Gates, Bill, 329

international dimension, 343-345

post-PSD2/open banking, 334-335

peer-to-peer lending, 331-332

open banking, 332-337



464 Index

General Arrangements to Borrow, 63	India, 25, 354
Germany	Individual Capital Guidance (ICG), 159
BaFin, 57, 243	Indonesia
bank resolution regime, 178	Sustainable Finance Roadmap, 362
reparation payments imposed by the Treaty of	inflation, 25
Versailles, 63	informal lending sector, 24
global credit crisis of 2007-2008, 67	information asymmetries, 47
global financial system	agency problem caused by, 35
effects of liberalisation of markets, 62	between borrowers and lenders, 23
global systemically important banks (G-SIBs), 120	enhanced disclosure by banks, 160
Goldman Sachs, 338	ING, 93, 137
goldsmiths	inside information, 271-273
historical provision of banking services, 12	insider dealing, 270
origin of the practice of issuing notes, 12	insiders who leak inside information, 273–274
gone concern loss-absorbing capacity (GLAC), 231	Institute for International Finance, Washington DC, 73
Goodhart, Charles, 408	institutional design of financial regulation, 50-58
Goodwin, Fred, 150	Australia, 56
government bond yields	Canada, 57
factors affecting, 25	central banks' regulatory remit, 52–53
Greece, 89	European Union, 53–54
green banking practices, 356–357, 370	exercise of macro-prudential regulation, 57–58
See also environmental sustainability risks.	micro- and macro-prudential supervision, 52–53
Greenspan, Alan, 100	role of central banks, 52
Group of 10 (G10), 39	supervisory models, 50–52
Gustav II Adolph, King of Sweden, 13	United Kingdom, 54–55
Gustav X, King of Sweden, 13–14	United States, 33–56
2.50.50. 2.4, 2.50. 2.7, 2.50. 2.5	institutional model of supervision, 51
'haircuts' on repurchase agreements, 400	insurance providers, 25
Halifax Bank of Scotland (HBOS), 29, 183, 185, 212	integrated model of supervision, 51
administrative sanctions, 383–386	inter-bank payment system
Hayes, Tom, 280–282	CPMI recommendations, 22
hedge funds, 105	credit and settlement risks, 21–22
herding, 240	example, 22
Herstatt Bank collapse, 64	Herstatt risk, 21
Herstatt risk, 21	multilateral netting system, 22
hidden action	interest rate swaps, 246
agency problem, 35–36	interest rates
hidden information	agency problems related to, 36–37
agency problem, 35–36	influence of central banks, 20
high-net-worth individuals (HNWIs), 214	intermediation by banks, 18–19
Hornby, Andy, 384	advantages over direct finance, 22–24
housing price bubble, 158	Coase theory of the firm, 23–24
HSBC, 212, 215, 282, 289	effect on information asymmetries, 23
human rights	investment banks, 20–21
bank shareholders, 387–390	liquidity risks, 19–20
judicial review of US regulatory and resolution	matching the needs and objectives of borrowers and
measures, 390–392	lenders, 22–23
regulatory enforcement and, 386–392	minimising transaction costs, 23
shareholders, 148–151	internal capital adequacy assessment procedure (ICAAP)
SHARCHURCES, 140-131	157–158
ICAP Europe Ltd, 282	internal liquidity adequacy assessment programme
Icelandic banking crisis (2008–2010), 168–169	(ILAAP), 157
100-10J	(11.11.11.1), 1.71



> 465 Index

International Accounting Standards Board (IASB), 68 International Association of Deposit Insurers (IADI), 68, 169-171

International Association of Insurance Supervisors (IAIS), 68-69

International Auditing and Assurance Standards Board (IAASB), 68

international banking regulation

Bank for International Settlements (BIS), Basel, 63-64 consequences of reforms, 77-79

contribution to the financial crisis of 2007-2008, 73

decision-making accountability, 61-72

effects of liberalisation of financial markets, 62 environmental and social risks and banking stability, 81 - 82

Financial Stability Board (FSB), 75-78

G20 response to the financial crisis of 2007-2008,

implementation and monitoring, 70-72

influence of special interest groups, 73

international soft law, 62

international standard-setting bodies, 63-69

lack of accountability, 73-74

legitimacy of, 73-74

legitimacy of international financial bodies, 61-72 reforming and restructuring supervision, 79-81

regulatory capture, 73-77

rise of the G20 committees, 63-69

role of the G20 in regulatory reform, 61-62

shift towards macro-prudential regulation, 74-75, 78-79

International Federation of Accountants (IFAC), 68 international financial soft law, 62

International Monetary Fund (IMF), 39, 55, 68, 71, 75 collaboration with the Financial Stability Board (FSB),

environmental sustainability, 354

estimated global value of money laundering, 288

exchange rate collapse (early 1970s), 64

Financial Sector Assessment Programmes, 72, 399

foreign exchange rate regime (1960s), 64

question of legitimacy and accountability, 77

International Organization of Securities Commissions (IOSCO), 65, 68-69, 78, 81

standards for bank conduct, 265-267

International Panel on Climate Change (IPCC), 350

international standards restricting bank misconduct,

265-267

investment banks

contribution to liquidity in the system, 20-21

intermediary functions, 20-21

intermediation, 19

investors

limited liability through royal charters, 16

invisible hand (Smith), 37-38

Islamic sharia law

prohibition of usury (riba), 11

Italian banks

arrangements for sovereign debtors in the Middle Ages,

developments in the Middle Ages, 11

bank resolution regime, 178

Jackson, Andrew, 17

Japan, 71-72

Daiwa Bank, 136

Japanese Financial Services Agency, 57

Jerusalem

historical use of temples for money trading, 10

Jevons, William, 349

Joint Forum on Financial Conglomerates, 69

joint stock banks, 28, 87

risk-taking and the limited liability structure, 17

JP Morgan, 274, 282, 288

JP Morgan Chase & Co.

mis-selling of residential mortgage-backed securities,

Keynes, John Maynard, 104

Kim, Jim Yong, 357

King, Mervyn, 77, 163, 214-215, 320

Know Your Customer standards, 286-288

Landsbanki collapse, 168-169

Latin American debt crisis (early 1980s), 66

Leeson, Nick, 137-138

legal theory of finance, 46

Lehman Brothers, 41

collapse of, 2, 90, 129, 183, 405

pre-crisis mis-selling of financial products, 243

lender of last resort, 174-175

Bank of England as, 15

leverage of banks

consequences of high leverage, 86

limits under Basel II, 97-98

leverage ratio, 400

changes under Basel IV, 120

under Basel III, 113-116

liabilities to deposits ratio, 88

liability risks, 356

liberalisation of financial markets, 18

bank disintermediation, 24

effects of, 62



466 Index

LIBOR (London Inter-Bank Offered Rate) United Kingdom, 55 manipulation, 263-286 United States, 56 macro-prudential supervision, xviii rate-rigging prosecutions, 280-282 what it is and how it worked, 263-280 role of central banks, 52-53 Wheatley Review for reform of LIBOR, 282-286 macro-prudential-micro-prudential framework, 396-408 Liikanen, Erkki, 230 bank resolution regimes, 402 Liikanen Report (European Commission), 222-228 components of macro-prudential regulation, 398 limited liability criticisms of Basel III, 401 limiting shareholder rights to reduce moral hazard, effects of differences in regulatory philosophy, 403-407 151-153 ex post crisis management measures, 402 limited liability companies, 87 failure of risk management at individual institution limited liability structure, 100 level, 396-399 effect on investment in British overseas banks, 17 future developments, 407-408 effect on risk-taking in joint stock banks, 17 institutional and supervisory gaps that remain, liquidity contribution of investment banks, 20-21 monetary policy controls, 398-399 EU requirements, 116-119 OTC derivatives, 401-402 function of banks, 20 recognition of the need for macro-prudential regulation liquidity coverage ratio (LCR), 111-112 and supervision, 396-399 liquidity default risk reforms adopted after the financial crisis, 396-399 shadow banking and, 298-299 marginal private net product, 38 liquidity risks, 67, 73 marginal social net product, 38 fragility of bank balance sheets, 19-20 Marini v. Albania, 154 related to the liquidity function of banks, 20 mark to market valuation, 25 risk management under Basel III, 109-113 market abuse laws, 267-279 types of risks for banks, 19 bank insiders who leak inside information, 273-274 vulnerability of the payment system, 19-20 categories of market abuse behaviour, 270 liquidity support for banks EU Market Abuse Regulation (MAR), 269-279 inside information, 271-273 potential for moral hazard, 20 role of central banks, 20 market manipulation and the OTC markets, 276-277 liquidity tools, 400 PDMRs Disclosure, 277-279 living wills (resolution plans), xvii public disclosure of information and delays, 277-279 Lloyds Bank PLC, 136, 215 relating to the OTC (over-the-counter) derivatives Lloyds Banking Group, 29, 183, 185, 213, 282, 289 market, 274-279 Lloyds TSB, 29, 212 market-based models of bank governance, 99 loan-to-income ratios, 400 market discipline (enhanced disclosure), 160 loan-to-value ratios, 79 market failures, 47 loan-to-value requirement, 400 information asymmetries, 23 lobbying related to agency problems in banks, 37 potential prejudice to the public interest, transaction costs, 23 45-46 markets London Inter-Bank Offered Rate. See LIBOR capture theory of regulation, 45-46 loss-absorbent capital, 190-191 liquidity risks related to, 19 perfect competition, 45 macroeconomic indicators, 115 potential distortion by banking regulation, 45-46 macro-prudential regulation, xviii, 3 private interest theory of regulation, 45-46 components of, 398 public interest theory of regulation, 45 European Union, 53-54 real-world situation, 45 exercise of, 57-58 Markets Committee, 64 features of, 49-50 maturity transformation, 19, 109 G20 response to the financial crisis, 74-75 benefits and risks, 19 shift in international regulatory focus, 78-79 systemic financial risk, 40



467 Index

Maya Declaration on Financial Inclusion (2011), 343 merchants historical provision of banking services, 12 mergers and acquisitions, 56 Merton, Robert, 173 Mesopotamia, 10 Mexican banking crisis (1994-1995), 44 Mexico, 354-355 micro-indicators, 115 micro-prudential regulation, 3, 52 focus at individual institution level, 48-50 weaknesses of, 48-50 Middle Ages developments in banking, 10-11 minimum required eligible liability (MREL) (EU), 191, 200-202 misconduct bank director misconduct and regulatory enforcement, Basel Committee Core Principles for Banking Supervision, 267 financial crime and AML/CFT, 286-290 fines imposed on banks, 264 G20 regulatory reform agenda, 265 international standards restricting bank misconduct, IOSCO standards for bank conduct, 265-267 LIBOR manipulation, 263-286 market abuse laws, 267-279 money laundering, 286-290 risk culture and, 311 source of operational risks for banks, 264 terrorism financing, 286-290 mis-selling of financial products, xviii adjusting regulation to protect bank customers, 257-259 commission-based adviser business model, 243 duty of care limitations under English law, 244-245 EC draft legislation on representative actions, 258 financial supermarket model, 243 influences on investor decision-making, 239-240 information disclosure paradigm, 239-241 Lehman Brothers, 243 MiFID II shortcomings, 253-255 MiFID II/MiFIR, 248-252 payment protection insurance (PPI) mis-selling, 246-247 post-crisis change in regulatory focus, 248-255 pre-crisis regulatory framework, 241-244 pre-crisis selling of financial products, 239-241 regulatory agency design for retail financial protection,

regulatory institutional design at national level, 256 shortcomings and potential challenges of new regulations, 259 supervisory models of financial regulation, 255 UK mis-selling and case law, 244-248 monetary policy controls, 398-399 money laundering, 286-290 money multiplier, 19 money supply control by central banks, 20 moral hazard, 47, 50 agency problem, 35-36 deposit guarantee schemes, 174-175 influence of remunderation structures, 319-322 limiting shareholder rights to reduce moral hazard, potential risk associated with liquidity support, 20 problem for bank shareholders, 100 Morgan Stanley, 288 mortgage-backed securities, 264 misrepresentation in marketing and sale of, multilateral netting system, 22 multilateral trading facilities (MTFs), 249 multinational banks, 15-16 banks not created by royal charter, 16 colonial banking regulations, 16 expansion strategies, 28-29 limited liability for investors, 16 multiplier effect, 34 mutuals, 87 Nakamoto, Satoshi, 337 Naples, Kingdom of arrangements to repay bank loans (1325), 11 National Bank of Poland, 387 Nationale-Nederlanden, 387 negative externalities, 37-38, 45, 47 compensating third parties, 38-39 global financial crisis of 2007-2008, 129 impacts of systemic financial risk, 40-41 justification for banking regulation, 42 marginal social net product, 38 social costs of bank risk-taking, 18 sources of systemic financial risk, 40

systemic risk in the financial system, 39 net stable funding ratio (NSFR), 111–112

history of the Bank of Amsterdam, 13

no creditor worse off principle (NCWO), 199

New York Stock Exchange, 149

Netherlands

NMB-Postbank, 387

255-256



468 Index

non-bank financial institutions twentieth-century developments, 18 involvement in the financial crisis of 2007-2008, 42 United States, 17-18 non-bank liquidity providers, 24 Ospel, Marcel, 105, 139 Nordic banking crisis (1990s), 44 OTC (over-the-counter) derivatives, 78, 90, 401-402 Northern Rock collapse, 2, 164, 183 market abuse laws, 274-279 output floor bank resolution regime, 179 Basel IV, 120-122 Norway model of trade with the EU, 410 overconfidence influence on investors, 240 Obama administration Overend Gurney failure (1866), 17 RMBS mis-selling settlements, 290 Oxenstierna, Axel, 13 off-balance sheet exposures for banks, 67 off-exchange markets, 249 Packaged Retail and Insurance-based Investment Products open banking, 332-337 (PRIIPs), 255 covered institutions, 336-337 paid-in capital, 87 disintermediation risk for banks, 336-337 Palmstruch, Johan, 13 EU Payment Services Directive 2 (PSD2), 332-334 Paris Agreement on Climate Change, 353-354 payment protection insurance (PPI) mis-selling, 246-247 post-PSD2, 334-335 United Kingdom, 335-336 payment system organisational structure of banking, 27-30 inter-bank payment system, 21-22 organised trading facilities (OTFs), 249 real-time gross settlement (RTGS), 21 Organisation for Economic Co-operation and Development vulnerability to bank liquidity risks, 19-20 (OECD), 69, 91 PDMRs (persons discharging managerial responsibilities) Financial Action Task Force (FATF), 68 Disclosure, 277-279 Financial Stability Forum (FSF), 69 peer-to-peer lending, 331-332 initiatives to improve bank corporate governance, 129 peer-to-peer lending platforms, 26-27 Oriental Bank Corporation of India, 16 pension providers, 25 origins of banking perpetual rents, 11 Peru, 412 ancient temples used for money trading, 10 bank money, 13 Peruzzi bank banking services provided by goldsmiths, 12 arrangements with sovereign debtors in the Middle banking services provided by merchants, 12 Ages, 11 banking services provided by scriveners, 12 Peruzzi banking family, 10 colonial banking regulations, 16 Pigou, Arthur C, 38-39 development of large banking institutions, 13-15 Pittsburgh Heads of State Summit, September 2009, 62 Poole, William, 2 development of the practice of issuing notes, 12 developments in the Middle Ages, 10-11 portfolio management theory, 99 discount houses, 15 Portugal, 89 effects of liberalisation of global financial markets, 18 post-contractual opportunism, 35 fractional reserve banking, 12 preference shares, 87 increase in numbers of small domestic banks, 15 preferred stock, 87 innovations related to the prohibition of usury, 11 principal-agent framework, 36 institutions created by royal charter, 13-15 Principles for the Supervision of Banks' Foreign investor limited liability through royal charters, 16 Establishments, 66 multinational banks, 15-16 private interest theory of regulation, 45-46 multinational banks not created by royal charter, Procter, Andrew, 321 16 procyclicality origin of the term 'bank', 10 related to risk-weighting of assets, 67 origin of the term 'bankruptcy', 10 professional bodies practice of collecting perpetual rents, 11 role in regulation of bank risk culture, 316-319 prohibition of usury in the Middle Ages, 10-11 property rights of bank shareholders and creditors, sovereign debt repayment in the Middle Ages, 11



469 Index

Reserve Bank of Australia, 56 proportionality principle (EU), 380-381 public interest reserve ratio, 20 potential threat from lobbying groups, 45-46 reserves (of banks), 87 public interest theory of regulation, 45 residential mortgage-backed securities misrepresentation in marketing and sale of, 289-290 Rabobank, 282 retained earnings, 87 RBS. See Royal Bank of Scotland PLC return on equity real time banks' ability to increase, 25 Riksbank (Sweden), 339-340, 400 definition, 21 real-time gross settlement (RTGS), 21 ring-fenced banking (UK), 212-222 approaches to regulation, 22 accepting deposits, 216 Target 2 RTGS example, 22 and the European Commission proposal, 231-234 reasonable person test, 133-134 core activities/core services, 216-217 RegTech (regulation technology), 340-342 economic links, 220-221 rationale for, 340-341 excluded activities, 217-218 regulatory initiatives, 341-342 exemptions, 216-217 regulation technology. See RegTech governance and disclosure, 221-222 regulatory action height of the ring-fence, 220-222 shareholder rights, 151-155 legal and operational links, 220 regulatory capital location of the ring-fence, 215-217 bail-inable debt, 89 prohibitions, 218-219 Basel III compared with Basel II, 106-108 ring-fencing consideration of environmental sustainability risks, separation of banking activities, 29-30 convertible capital instruments (Cocos), 89 bank disclosure of risks to investors, 359-360 core equity Tier 1 (CET1), 88 bank runs related to loss of confidence, 19 counter-cyclical capital regulation under Basel III, banks' failure to manage risk, 208 limiting shareholder rights to reduce moral hazard, loss-absorbent capital, 88, 90 tax assets as Tier 1 capital, 89 potential moral hazard associated with liquidity Tier 1 capital, 88-89 support, 20 Tier 2 capital, 88 risk-adjusted return on equity, 99-100 total loss-absorbent capital (TLAC), 89 risk assessment, 35 See also bank capital. risk-based capital ratio, 102 regulatory capital management, 102-106 risk-based supervision regulatory capture in international banking regulation, Basel I, 90-93 73-77 risk culture regulatory control bank governance and, 308-311 developing a coherent macro-prudentialcontribution to the financial crisis, 308 defining 'good behaviour', 308-309 micro-prudential framework, 396-408 regulatory enforcement definition, 309 bank director misconduct, 383-386 development of trusted financial products, 322-323 bank shareholders' rights, 387-390 effects of remuneration structures, 319-322 human rights and, 386-392 ethical drift in the banking sector, 308 judicial review of US regulatory and resolution focus of regulation, 319-326 measures, 390-392 influence of legislative and regulatory reforms, 310 regulatory law misconduct risk, 311 director's duties, 127-141 regulatory role of professional bodies, 316-319 Reich, Ryan Michael, 282 self-regulation, 316-319 remuneration structures Senior Managers and Certification Scheme (SM&CR), potential to create morally hazardardous behaviour, 314-316 319-322 UK regulatory initiatives, 312-316



470 Index

risk management, 34, 99-106 Senior Managers and Certification Scheme (SM&CR) (UK), balance sheet management, 101 314-316 banks' use of structured finance instruments (SFIs), settlement definition, 21 calculating total risk-weighted assets, 103-104 shadow banking, xvii-xviii, 3, 78 collateralised debt obligations (CDOs), 102 benefits and costs, 302-303 economic capital management, 101-102 challenge of, 300-306 environmental sustainability risks, 362 definition, 293-294, 300-301 definition of a bank, 295-298 failures prior to the 2007-2008 crisis, 99-101 flaws in the pre-crisis bank models, 98-99 designing functional banking regulation, 298-299 flaws in value-at-risk (VAR) models, 104-106 functional approach to banking regulation, 298-300 liquidity risk management under Basel III, 109-113 growth of the shadow banking sector, 293-294 moral hazard problem for bank shareholders, 100 liquidity default risk, 298-299 regulatory capital management, 102-106 nature of, 301-302 risk-based supervision of Basel I, 90-93 non-bank financial institutions, 295-298 strategic objective, 99-100 regulatory challenges, 303-306 UBS risk management failure, 104 responding to institutional and market innovations, weakness of micro-prudential regulation, 48-50 299-300 risk measurement models, 73 shadow banking problem, 296 risk-taking size of the shadow banking sector, 294-295 effect of limited liability on bank risk-taking, 17 systemic risk related to, 301-302 risk tolerance of investors, 240 shareholder rights, 145-155 risk-weighted models, 401 human rights, 148-151 risk-weighting of assets in relation to regulatory enforcement, 387-390 calculating total risk-weighted assets (RWA), 103-104 legal principles to constrain regulatory powers, procyclicality related to, 67 risky financial instruments, 3 limiting shareholder rights to reduce moral hazard, Royal Bank of Scotland PLC, 29, 129, 136, 212-213, 215 151-153 fine for LIBOR manipulation, 282 Pafitis case, 147-148 mis-selling of residential mortgage-backed securities, 290 position under bank resolution, 178-179 Shareholder Action Group, 150-151 regulatory action, 151-155 UK Treasury bailout, 183 shareholders, 87 royal charters directors' duties to, 131-132 creation of large banking institutions, 13-15 Siennese banks, 10 limited liability for investors, 16 slotting approach to risk-weighting, 103 Rubin, Robert, 136 Smith, Adam Russia, 360 invisible hand, 37-38 Wealth of Nations, 13, 37-38 central bank recommendations on environmental risks. social costs of production, 38 Code of Corporate Governance, 361 compensating third parties, 38-39 social influence on investor behaviour, 240 Santander Bank PLC, 215 Société Générale SA, 29 Sants, Hector, 308 society Saville v. Central Capital Ltd, 246 costs imposed by systemic financial risk, 41-42 savings and loan crisis (1980s), 173 costs of bank risk-taking, 18 Scandinavia SONIA (sterling overnight index average), 285-286 banking crisis (early 1990s), 2 sound and prudent management principle, 127-143 scriveners South Sea Bubble (1720s), 15 historical provision of banking services, 12 sovereign debtors securities brokers loan repayment arrangements in the Middle Ages, 11 intermediation, 19 special interest groups securitisation, 18, 25-26, 28, 48, 99, 101 influence on international banking regulation, 73



471 Index

special purpose vehicles (SPVs), 101-102	Sweden
spot commodity contracts, 276	Financial Stability Council, 400
stakeholder groups	history of the Riksbank (formerly Stockholms Banco),
consideration in banking regulation, 37	13-14
directors' duties to, 132-133	Swiss Code of Obligations, 135, 139
effects of agency problems, 37	Swiss Re Economic Research and Consulting, 355
Standard Chartered Bank, 289	Switzerland, 71, 400
standardised approach (SA) to risk-weighting,	bank resolution regime, 179
103	Swiss model of trade with the EU, 410-411
Stellar digital currency, 337	systematic internalisers, 249
Stevenson, Lord, 384	systemic financial risk, 3
stress tests, 129, 156–160	costs imposed on society, 41-42
structural reforms	definition, 39, 41–42
European Commission proposal, 222-228	justification for banking regulation, 42
pros and cons, 229–230	macro-prudential regulation, 49–50
ring-fencing and the European Commission proposal,	mitigating the costs of, 40–41
231–234	related to shadow banking, 301-302
structural regulation	related to the inter-bank payment system, 21–22
banks' failure to manage risk, 208	social and economic impacts, 40–41
ring-fenced banking (UK), 212–222	sources of, 40
universal banking model, 209–212	weakness of micro-prudential regulation, 48-50
structured credit markets, 25	systemically important financial institutions (SIFIs), 67, 78
structured finance instruments (SFIs), 101	107, 156, 309, 391
structured finance markets, 25	capital requirements under Basel III, 109
structured investment vehicles (SIVs), 24–25	systemically significant financial instruments, 78
subprime markets	-5,,8,
UBS exposure to, 105–106	Target 2 RTGS, 22
subprime mortgage loan crisis (US), 47	example, 22
subprime mortgage market, 2	tax assets
supervision	as Tier 1 capital, 89
definition, 34	taxpayer bailouts, 29–30, 88, 106, 129, 212
reforming and restructuring, 79–81	technology. See Fintech (financial technology); RegTech
risk-based supervision of Basel I, 90–93, 267	(regulation technology)
See also Basel Committee on Banking Supervision.	temples
supervisory colleges, 79	historical use for money trading, 10
supervisory models	terrorism financing, 286–290
factors affecting choice of supervisory structure, 52	The Hague Agreements of 1930, 63
functional model, 51	theories of financial regulation, 45–46
institutional model, 51	Thomson Reuters, 280
integrated approach, 51	Tier 1 capital, 67, 88–89
regulation of marketing and sale of financial products,	quality and transparency, 75
255	Tier 2 capital, 88
Twin Peaks model, 51–52, 54	too-big-to-fail financial institutions, 56, 175, 229
supervisory review enhancement process (SREP), 68, 156,	total loss-absorbent capital (TLAC), 89, 180,
158–159	190–191
supervisory tools	tragedy of the commons, 42
Basel Committee and bank governance, 155–156	Tragedy of the Horizons (TOH), 348–349
for bank governance, 155–160	transaction costs for borrowers and lenders, 23
supervisory review (Basel III, Pillar 2), 156–160	transition risks, 356
suspicious transaction reporting, 286	Transparency International (TI) Organization, 288
Sustainability Banking Network (SBN), 82, 365–366, 412	Treaty of Versailles
	reparation payments imposed on Germany, 63
swaps, 28	reparation payments imposed on dermany, 63



472 Index

Trump administration

RMBS mis-selling settlements, 290

trust

challenge for banking regulation, 413-415

Tuckey, Andrew, 137-138

Turner Review (2009), 49, 397-398

Twin Peaks model of supervision, 51-52

UBS, 29, 129

collapse of, 135

fine for LIBOR manipulation, 282

LIBOR manipulation, 280-282

risk management failure, 104

UK Financial Investments Ltd, 29

United Kingdom

Anti-terrorism, Crime and Security Act 2001, 169 bank director misconduct and regulatory enforcement,

383-386

bank resolution regime, 182-186

Banking Act 2009, 184, 297

Banking Reform Act 2013, 30, 213–214, 216, 220,

312-314

central bank role in the financial crisis (2007-2008), 52

Companies Act 2006, 133-134, 150

Company Directors Disqualification Act 1986, 134, 386

Competition and Markets Authority (CMA), 335-336

Consumer Credit Act 2006, 246

effects of Brexit on bank resolution and deposit

guarantee schemes, 202-205

Financial Conduct Authority (FCA), 220, 246, 256, 287,

313, 335–336, 401

Financial Ombudsman Service (FOS), 245–248

Financial Policy Committee (FPC), 55, 57

Financial Services Act 2010, 312

Financial Services Act 2012, 54-55, 184, 312

Financial Services and Markets Act 2000 (FSMA), 150, 184, 268, 297, 314, 383

Financial Services Authority (FSA), 54, 246, 383–386, 397–398

Independent Commission on Banking (ICB), 213

Individual Accountability Regime (IAR), 315

limitations on bank duty of care (English law), 244–245

macro-prudential regulatory model, 400–401

mis-selling and case law, 244-248

mutuals, 87

open banking, 335-336

Parliamentary Commission on Banking Standards (PCBS), 313, 316, 324

payment protection insurance (PPI) mis-selling, 246–247

Prudential Regulation Authority (PRA), 158-159, 184, 203, 220, 312, 401

redesign of financial regulation, 54-55

Remuneration Code, 312

Retail Banking Market Investigation Order (CMA 2017),

335

ring-fenced banking, 212-222

risk culture regulatory initiatives, 312-316

sanctions for breach of prudential regulation,

383-386

scale of the financial services sector, 43

Senior Managers and Certification Scheme (SM&CR),

314-316

Turner Review (2009), 397-398

UK Treasury, 54

Vickers Commission, 213

United Nations

Sustainable Development Goals (SDG), 353

United Nations Office on Drugs and Crime (UNODC), 288

United States

bank resolution regime, 186-189

Comprehensive Capital Analysis and Review (CCAR),

159-160

Consumer Financial Protection Bureau (CFPB), 256

credit unions, 87

creditor hierarchy under OLA, 191-193

Dodd-Frank Act 2010, 3, 33-56, 186-193, 223, 256,

390-392, 406

equity to deposits ratio for bank capital, 88

Federal Deposit Insurance Corporation (FDIC), 159, 173–174, 391–392

Federal Deposit Insurance Corporation and Institutions Act 1991 (FDICIA), 173–174

Financial Stability Oversight Council (FSOC), 56–57,

history of banking, 17-18

judicial review of regulatory and resolution measures,

limited implementation of the Basel Capital Accord, 72 Office of the Comptroller of the Currency (OCC), 159, 362

Office of Thrift Supervision (OTS), 390

Orderly Liquidation Authority (OLA), 186-189

Securities and Exchange Commission (SEC), 250

Term Auction Loan Facility (TLAF), 2

Troubled Asset Liquidity Facility (TALF), 405

Volcker Rule, 222-223, 406

United States Federal Reserve, 2-3, 159

Clearing House Inter-bank Payment System (CHIPS), 21 RTGS 'daylight' overdraft system, 22

universal banking model, 27-30, 209-212

benefits of multi-functional banking groups, 210–211 societal risks of multi-functional banking groups,

211-212



473 Index

usury

effects of prohibition in the Middle Ages, 10-11

value-at-risk (VAR) models flaws in, 104–106 VaR (volatility-based model), 99 Vickers, John, 230 Vickers Commission (UK), 213 volatility-based models, 99 Volcker Rule (US), 222–223, 406

Wall Street Reform and Consumer Protection Act of 2010. See Dodd-Frank Act 2010.

Wells Fargo

mis-selling of residential mortgage-backed securities, 289 Wheatley Review for reform of LIBOR, 282–286 Wolfsberg Group, 287

World Bank, 68, 71, 354, 357

Financial Sector Adjustment Programmes, 72 International Finance Corporation (IFC), 82, 365 Sustainability Banking Network (SBN), 365–366

World Economic Forum, 357 Global Risks Report 2016, 353

World Trade Organization/General Agreement on Trade in Services (WTO/GATS) rules, 409

XRP digital currency, 337

Yen LIBOR manipulation, 281 Young Plan, 63

Zopa, 26, 331