



Serious Crime Act 2007

2007 CHAPTER 27

PART 3

OTHER MEASURES TO PREVENT OR DISRUPT SERIOUS AND OTHER CRIME

CHAPTER 1

PREVENTION OF FRAUD

Sharing information with anti-fraud organisations

69 Offence for certain further disclosures of information

- (1) A person (“B”) commits an offence, subject as follows, if—
- (a) B discloses protected information which has been disclosed by a public authority—
 - (i) as a result of the public authority being a member of a specified anti-fraud organisation; or
 - (ii) otherwise in accordance with any arrangements made by such an organisation;
 - (b) the information—
 - (i) has been so disclosed by the public authority to B; or
 - (ii) has come into B's possession as a result (whether directly or indirectly) of such a disclosure by the public authority to another person; and
 - (c) B knows or suspects, or has reasonable grounds for suspecting, that the information is information of the kind mentioned in paragraphs (a) and (b).
- (2) Subsection (1) does not apply to a disclosure made by B—
- (a) where B is acting (whether as an employee or otherwise) on behalf of the person to whom the information was disclosed by the public authority

Changes to legislation: There are currently no known outstanding effects for the Serious Crime Act 2007, Section 69. (See end of Document for details)

concerned and the disclosure by B is to another person acting (whether as an employee or otherwise) on behalf of that person;

- (b) for the purposes of the detection, investigation or prosecution of an offence in the United Kingdom;
- (c) with the consent of the public authority concerned; or
- (d) in pursuance of [^{F1}[^{F2}an assimilated] obligation] or a duty imposed by an enactment;

but it does apply to a disclosure made by B which does not fall within paragraphs (a) to (d) above but which (but for the offence) would have been permitted by a power conferred by an enactment.

^{F3}(3)

(4) It is a defence for a person charged with an offence under this section to prove that the person reasonably believed—

- (a) that the disclosure was lawful; or
- (b) that the information had already and lawfully been made available to the public.

(5) In this section “protected information” means—

- (a) any revenue and customs information disclosed by Revenue and Customs and revealing the identity of the person to whom it relates; or
- (b) any specified information disclosed by a specified public authority.

(6) For the purposes of this section—

- (a) “revenue and customs information” means information about, acquired as a result of or held in connection with the exercise of a function of the Commissioners of Revenue and Customs or an officer of Revenue and Customs in respect of a person;
- (b) revenue and customs information reveals a person's identity if—
 - (i) it specifies his identity; or
 - (ii) his identity can be deduced from it; and
- (c) revenue and customs information relates to a person if he is the person in respect of whom the function mentioned in paragraph (a) is exercised.

(7) In this section—

“Commissioners of Revenue and Customs” means Commissioners for Her Majesty's Revenue and Customs;

“enactment” has the same meaning as in section 14;

“public authority” has the same meaning as in section 68;

“Revenue and Customs” means—

- (a) the Commissioners of Revenue and Customs;
- (b) an officer of Revenue and Customs; or
- (c) a person acting on behalf of the Commissioners or an officer of Revenue and Customs;

“specified anti-fraud organisation” means any person which is a specified anti-fraud organisation for the purposes of section 68;

“specified information” means information specified or described in an order made by the Secretary of State; and

“specified public authority” means a public authority specified or described in an order made by the Secretary of State.

Changes to legislation: There are currently no known outstanding effects for the Serious Crime Act 2007, Section 69. (See end of Document for details)

Textual Amendments

- F1** Words in s. 69(2)(d) substituted (31.12.2020) by [The Law Enforcement and Security \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/742\)](#), regs. 1, [122\(4\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in s. 69(2)(d) substituted (1.1.2024) by [The Retained EU Law \(Revocation and Reform\) Act 2023 \(Consequential Amendment\) Regulations 2023 \(S.I. 2023/1424\)](#), reg. 1(2), [Sch. para. 66](#)
- F3** S. 69(3) repealed (8.11.2021) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), [ss. 98\(b\)](#), 206(1); S.S.I. 2021/355, art. 2
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Commencement Information

- I1** S. 69 in force at 1.10.2008 by [S.I. 2008/2504](#), [art. 2\(c\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Serious Crime Act 2007, Section 69.