

SCHEDULE 4

Regulations 22(2), 23(1) and 34(3)

CONDITIONS FOR PERMITTED DISCLOSURE

Modifications etc. (not altering text)

- C1** Sch. 4 applied (E.W.S.) (6.4.2016) by [The Limited Liability Partnerships \(Register of People with Significant Control\) Regulations 2016](#) (S.I. 2016/340), regs. 1(3), 4, **Sch. 2 para. 4** (as amended (26.6.2017) by [The Information about People with Significant Control \(Amendment\) Regulations 2017](#) (S.I. 2017/693), regs. 2, 31 (with **Sch. Pt. 2**))

^{F1}PART 1

Disclosure to Specified Public Authorities

Textual Amendments

- F1** Sch. 4 Pt. 1 revoked by virtue of the substitution of the enabling provision [2006 c. 46, s. 243\(2\)](#) (4.3.2024) by [Economic Crime and Corporate Transparency Act 2023](#) (2023 c. 56), s. 219(1), **Sch. 3 para. 3(2)**; [S.I. 2024/269](#), **reg. 2**

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PART 2

Disclosure to a Credit Reference Agency

6. The credit reference agency—
 - (a) is carrying on in the United Kingdom ^{F2}... a business comprising the furnishing of information relevant to the financial standing of individuals, being information collected by the agency for that purpose;
 - (b) maintains appropriate procedures—
 - (i) to ensure that an independent person can investigate and audit the measures maintained by the agency for the purposes of ensuring the security of any information within section 790ZF(2) of the Act disclosed to that agency; and
 - ^{F3}(ii) for the purposes of ensuring that it complies with its [^{F4}obligations under the data protection legislation (as defined in section 3 of the Data Protection Act 2018)];
 - (c) has not been found guilty of an offence under—
 - (i) [^{F5}section 1112 (false statements: basic offence) or 1112A (false statements: aggravated offence) of the Act];
 - (ii) section 2 of the Fraud Act 2006 ^{M1} (fraud by false representation); ^{F6}...

Changes to legislation: There are currently no known outstanding effects for the The Register of People with Significant Control Regulations 2016, SCHEDULE 4. (See end of Document for details)

- (iii) section 47 of the Data Protection Act 1998 (failure to comply with enforcement notice) in circumstances where it has used the information within section 790ZF(2) of the Act for purposes other than those described in sub-paragraphs (a) to (e) of paragraph 8;
- [^{F7}(iv) section 144 of the Data Protection Act 2018 (false statements made in response to an information notice); or
- (v) section 148 of that Act (destroying or falsifying information and documents etc);]
- [^{F8}(d) has not been given a penalty notice under section 155 of the Data Protection Act 2018 in circumstances described in sub-paragraph (c)(iii), other than a penalty notice that has been cancelled.]

Textual Amendments

F2 Words in Sch. 4 para. 6(a) omitted (31.12.2020) by virtue of [The Companies, Limited Liability Partnerships and Partnerships \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/348\)](#), reg. 2, [Sch. 2 para. 14\(b\)\(i\)](#) (with Sch. 4 para. 5) (as amended by [S.I. 2020/523](#), regs. 1(2), 20); 2020 c. 1, Sch. 5 para. 1(1)

F3 Sch. 4 para. 6(b)(ii) substituted (25.5.2018) by [Data Protection Act 2018 \(c. 12\)](#), s. 212(1), [Sch. 19 para. 400\(2\)](#) (with ss. 117, 209, 210); [S.I. 2018/625](#), reg. 2(1)(g)

F4 Words in Sch. 4 para. 6(b)(ii) substituted (31.12.2020) by [The Companies, Limited Liability Partnerships and Partnerships \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/348\)](#), reg. 2, [Sch. 2 para. 14\(b\)\(ii\)](#) (with Sch. 4 para. 5) (as amended by [S.I. 2020/523](#), regs. 1(2), 20); 2020 c. 1, Sch. 5 para. 1(1)

F5 Words in Sch. 4 para. 6(c) substituted (21.3.2024) by [The Economic Crime and Corporate Transparency Act 2023 \(Consequential, Supplementary and Incidental Provisions\) Regulations 2024 \(S.I. 2024/410\)](#), reg. 1(2), [Sch. 2 para. 7\(4\)\(a\)](#)

F6 Word in Sch. 4 para. 6(c)(ii) omitted (25.5.2018) by virtue of [Data Protection Act 2018 \(c. 12\)](#), s. 212(1), [Sch. 19 para. 400\(3\)\(a\)](#) (with ss. 117, 209, 210); [S.I. 2018/625](#), reg. 2(1)(g)

F7 Sch. 4 para. 6(c)(iv)(v) inserted (25.5.2018) by [Data Protection Act 2018 \(c. 12\)](#), s. 212(1), [Sch. 19 para. 400\(3\)\(b\)](#) (with ss. 117, 209, 210); [S.I. 2018/625](#), reg. 2(1)(g)

F8 Sch. 4 para. 6(d) inserted (25.5.2018) by [Data Protection Act 2018 \(c. 12\)](#), s. 212(1), [Sch. 19 para. 400\(4\)](#) (with ss. 117, 209, 210); [S.I. 2018/625](#), reg. 2(1)(g)

Marginal Citations

M1 [2006 c.35](#).

7. The credit reference agency has delivered to the registrar a statement that it meets the conditions in paragraph 6.

8. The credit reference agency has delivered to the registrar a statement that it intends to use the information within section 790ZF(2) of the Act only for the purposes of—

- (a) providing an assessment of the financial standing of a person;
- (b) meeting any obligations contained in—
 - (i) [^{F9}the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017]; [^{F10}or]
 - (ii) any rules made pursuant to section 137A of the Financial Services and Markets Act 2000 ^{M2} which relate to the prevention and detection of money laundering in connection with the carrying on of regulated activities by authorised persons; ^{F11}...
 - ^{F11}(iii)
- (c) conducting conflict of interest checks required or made necessary by any enactment;

- (d) providing information within section 790ZF(2) of the Act to—
- [^{F12}(i) a person to whom the registrar could disclose information under section 1110F (disclosure by the registrar) of the Act; or]
 - (ii) a credit reference agency which has satisfied the requirements of this Part of this Schedule; or
- (e) conducting checks for the prevention and detection of crime and fraud.

Textual Amendments

- F9** Words in Sch. 4 para. 8(b)(i) substituted (26.6.2017) by [The Money Laundering, Terrorist Financing and Transfer of Funds \(Information on the Payer\) Regulations 2017 \(S.I. 2017/692\)](#), reg. 1(2), **Sch. 7 para. 34(a)** (with regs. 8, 15)
- F10** Word in Sch. 4 para. 8(b)(i) inserted (31.12.2020) by [The Companies, Limited Liability Partnerships and Partnerships \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/348\)](#), reg. 2, **Sch. 2 para. 14(c)(i)** (with Sch. 4 para. 5) (as amended by S.I. 2020/523, regs. 1(2), 20); 2020 c. 1, Sch. 5 para. 1(1)
- F11** Sch. 4 para. 8(b)(iii) and word omitted (31.12.2020) by virtue of [The Companies, Limited Liability Partnerships and Partnerships \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/348\)](#), reg. 2, **Sch. 2 para. 14(c)(ii)** (with Sch. 4 para. 5) (as amended by S.I. 2020/523, regs. 1(2), 20); 2020 c. 1, **Sch. 5 para. 1(1)**
- F12** Sch. 4 para. 8(d)(i) substituted (21.3.2024) by [The Economic Crime and Corporate Transparency Act 2023 \(Consequential, Supplementary and Incidental Provisions\) Regulations 2024 \(S.I. 2024/410\)](#), reg. 1(2), **Sch. 2 para. 7(4)(b)**

Marginal Citations

- M2** 2000 c.8; section 137A is in Part 9A which was substituted for sections 138 to 166 by section 24(1) of the [Financial Services Act 2012 \(c.21\)](#).

9. The credit reference agency has delivered to the registrar a statement that it intends to take delivery of and to use the information within section 790ZF(2) of the Act only in the United Kingdom

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Textual Amendments

- F13** Words in Sch. 4 para. 9 omitted (31.12.2020) by virtue of [The Companies, Limited Liability Partnerships and Partnerships \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/348\)](#), reg. 2, **Sch. 2 para. 14(d)** (with Sch. 4 para. 5) (as amended by S.I. 2020/523, regs. 1(2), 20); 2020 c. 1, Sch. 5 para. 1(1)

10. The credit reference agency has delivered to the registrar a statement that it will, where it supplies a copy of the information within section 790ZF(2) of the Act to a processor for the purpose of processing the information for use in respect of the purposes referred to in paragraph 8—

- (a) ensure that the processor is one who carries on business in the [^{F14}United Kingdom];
- (b) require that the processor does not transmit the information outside the [^{F15}United Kingdom]; and
- (c) require that the processor does not disclose the information except to the credit reference agency or an employee of the credit reference agency.

Changes to legislation: There are currently no known outstanding effects for the The Register of People with Significant Control Regulations 2016, SCHEDULE 4. (See end of Document for details)

Textual Amendments

- F14** Words in Sch. 4 para. 10(a) substituted (31.12.2020) by [The Companies, Limited Liability Partnerships and Partnerships \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/348\)](#), reg. 2, **Sch. 2 para. 14(e)** (with Sch. 4 para. 5) (as amended by S.I. 2020/523, regs. 1(2), 20); 2020 c. 1, Sch. 5 para. 1(1)
- F15** Words in Sch. 4 para. 10(b) substituted (31.12.2020) by [The Companies, Limited Liability Partnerships and Partnerships \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/348\)](#), reg. 2, **Sch. 2 para. 14(e)** (with Sch. 4 para. 5) (as amended by S.I. 2020/523, regs. 1(2), 20); 2020 c. 1, Sch. 5 para. 1(1)

11. The credit reference agency has delivered any information or evidence required by the registrar for the purpose of enabling the registrar to determine in accordance with these Regulations whether to disclose the information within section 790ZF(2) of the Act.

12. The credit reference agency has complied with any requirement by the registrar to confirm the accuracy of the statements, information or evidence delivered to the registrar pursuant to this Part of this Schedule.

[^{F16}**12ZA.** The information within section 790ZF(2) of the Act is not information to which regulation 34(1) applies.]

Textual Amendments

- F16** Sch. 4 para. 12ZA inserted (4.3.2024) by [The Registrar \(Annotation, Removal and Disclosure Restrictions\) Regulations 2024 \(S.I. 2024/54\)](#), regs. 1(2)(b), **18(2)**; S.I. 2024/269, **reg. 2**

[^{F17}PART 2A

Disclosure to a Credit Institution or a Financial Institution

Textual Amendments

- F17** Sch. 4 Pt. 2A inserted (26.6.2017) by [The Information about People with Significant Control \(Amendment\) Regulations 2017 \(S.I. 2017/693\)](#), regs. 2, **19(2)** (with Sch. Pt. 1)

12A. The credit institution or financial institution maintains appropriate procedures—

- (a) to ensure that an independent person can investigate and audit the measures maintained by that institution for the purposes of ensuring the security of any information disclosed to it; and

[^{F18}(b) for the purposes of ensuring that it complies with its [^{F19}obligations under the data protection legislation (as defined in section 3 of the Data Protection Act 2018)].]

Textual Amendments

- F18** Sch. 4 para. 12A(b) substituted (25.5.2018) by [Data Protection Act 2018 \(c. 12\)](#), s. 212(1), **Sch. 19 para. 401** (with ss. 117, 209, 210); S.I. 2018/625, reg. 2(1)(g)
- F19** Words in Sch. 4 para. 12A(b) substituted (31.12.2020) by [The Companies, Limited Liability Partnerships and Partnerships \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/348\)](#), reg. 2, **Sch. 2 para. 14(f)** (with Sch. 4 para. 5) (as amended by S.I. 2020/523, regs. 1(2), 20); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the The Register of People with Significant Control Regulations 2016, SCHEDULE 4. (See end of Document for details)

12B. The credit institution or financial institution has delivered to the registrar a statement confirming that it is a credit institution or, as the case may be, a financial institution, and that it meets the conditions in paragraph 12A.

12C. The credit institution or financial institution has delivered to the registrar a statement that it intends to use information only for the purpose of applying customer due diligence measures to the company in relation to which the information is secured, in accordance with the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017.

12D. The credit institution or financial institution has delivered to the registrar a statement that confirms the name and registered number of the company it is entering a transaction with which requires the institution to apply customer due diligence measures under those Regulations.

12E. The credit institution or financial institution has delivered to the registrar a statement that it intends to take delivery of and to use the information only in the United Kingdom.

12F. The credit institution or financial institution has delivered to the registrar a statement that it will, where it supplies a copy of the information to a processor for the purpose of processing the information for use in respect of the purpose referred to in paragraph 12C—

- (a) ensure that the processor is one who carries on business in the [^{F20}United Kingdom];
- (b) require that the processor does not transmit the information outside the [^{F21}United Kingdom]; and
- (c) require that the processor does not disclose the information except to the credit institution or financial institution.

Textual Amendments

F20 Words in Sch. 4 para. 12F(a) substituted (31.12.2020) by The Companies, Limited Liability Partnerships and Partnerships (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/348), reg. 2, **Sch. 2 para. 14(g)** (with Sch. 4 para. 5) (as amended by S.I. 2020/523, regs. 1(2), 20); 2020 c. 1, Sch. 5 para. 1(1)

F21 Words in Sch. 4 para. 12F(b) substituted (31.12.2020) by The Companies, Limited Liability Partnerships and Partnerships (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/348), reg. 2, **Sch. 2 para. 14(g)** (with Sch. 4 para. 5) (as amended by S.I. 2020/523, regs. 1(2), 20); 2020 c. 1, Sch. 5 para. 1(1)

12G. The credit institution or financial institution has delivered any information or evidence required by the registrar for the purpose of enabling the registrar to determine in accordance with these Regulations whether to disclose the information.

12H. The credit institution or financial institution has complied with any requirement by the registrar to confirm the accuracy of the statements, information or evidence delivered to the registrar pursuant to this Part.]

PART 3

Interpretation of this Schedule

13. In this Schedule—

- (a) “processor” means any person who provides a service which consists of putting information into data form or processing information in data form and any reference to a processor includes a reference to the processor's employees;

^{F22}(b)

Changes to legislation: There are currently no known outstanding effects for the The Register of People with Significant Control Regulations 2016, SCHEDULE 4. (See end of Document for details)

- (c) any reference to an employee of any person who has access to information within section 790ZF(2) of the Act includes any person working or providing services for the purposes of that person or employed by or on behalf of, or working for, any person who is so working or who is supplying such a service; and

^{F23}(d)

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Textual Amendments

F22 Sch. 4 para. 13(b) revoked by virtue of the substitution of the enabling provision 2006 c. 46, s. 243(2) (4.3.2024) by [Economic Crime and Corporate Transparency Act 2023](#) (2023 c. 56), s. 219(1), **Sch. 3 para. 3(2)**; S.I. 2024/269, **reg. 2**

F23 Sch. 4 para. 13(d) revoked by virtue of the substitution of the enabling provision 2006 c. 46, s. 243(2) (4.3.2024) by [Economic Crime and Corporate Transparency Act 2023](#) (2023 c. 56), s. 219(1), **Sch. 3 para. 3(2)**; S.I. 2024/269, **reg. 2**

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Textual Amendments

F24 Sch. 4 para. 14 omitted (31.12.2020) by virtue of [The Companies, Limited Liability Partnerships and Partnerships \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/348), **reg. 2, Sch. 2 para. 14(i)** (with Sch. 4 para. 5) (as amended by S.I. 2020/523, **regs. 1(2), 20**); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

There are currently no known outstanding effects for the The Register of People with Significant Control Regulations 2016, SCHEDULE 4.