

STATUTORY INSTRUMENTS

2019 No. 466

The ISIL (Da'esh) and Al-Qaida (United Nations Sanctions) (EU Exit) Regulations 2019

PART 7

Information and records

Part 7: supplementary

38.—(1) A disclosure of information under regulation 37 does not breach any restriction on such disclosure imposed by statute or otherwise.

(2) But nothing in that regulation authorises a disclosure that—

- (a) contravenes the data protection legislation, or
- (b) is prohibited by any of Parts 1 to 7 or Chapter 1 of Part 9 of the Investigatory Powers Act 2016 ^{M1}.

(3) Nothing in this Part is to be read as requiring a person who has acted or is acting as counsel or solicitor for any person to disclose any privileged information in their possession in that capacity.

(4) Regulation 37 does not limit the circumstances in which information may be disclosed apart from that regulation.

(5) Nothing in this Part limits any conditions which may be contained in a Treasury licence.

(6) In this regulation—

“the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act) ^{M2};

“privileged information” means information with respect to which a claim to legal professional privilege (in Scotland, to confidentiality of communications) could be maintained in legal proceedings.

Commencement Information

- I1** Reg. 38 not in force at made date, see reg. 1(2)
- I2** Reg. 38 in force at 31.12.2020 on IP completion day by S.I. 2019/627, **reg. 9(2)**; 2020 c. 1, Sch. 5 para. 1(1)

Marginal Citations

- M1** 2016 c.25. Amendments have been made by the Policing and Crime Act 2017 (c.3), **Schedule 9**, paragraph 74; the Data Protection Act 2018 (c. 12), **Schedule 19**, paragraphs 198-203; S.I. 2018/2113.
- M2** 2018 c.12. There are amendments to this Act that are not relevant to these Regulations.

Status:

Point in time view as at 31/12/2020. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the The ISIL (Da'esh) and Al-Qaida (United Nations Sanctions) (EU Exit) Regulations 2019, Section 38.