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## EXPLANATORY NOTE

*(This note is not part of the Order)*

Section 56 of the Postal Services Act 2011 (c.5) (“the Act”) imposes a general prohibition on the disclosure of information that relates to an individual or particular business and is obtained by virtue of Part 3 (Regulation of Postal Services) of the Act (“information”), except as permitted by the section.

Subsection (2) provides certain exemptions to the general prohibition. Subsections (2)(a), (b) and (c) have the effect of permitting disclosure of information with the consent of those concerned and to facilitate the carrying out of functions of OFCOM, the Secretary of State, the Treasury or the Competition Commission under the Act. Subsections (2)(d), (f) and (h) give the Secretary of State the power to prescribe, by Order, further persons, enactments, circumstances or purposes so as to permit disclosure of information under those subsections.

This Order provides that the Secretary of State prescribes bodies and other persons, enactments, circumstances or purposes for the purposes of disclosure of information permitted under section 56 of the Act.

Taken together with the exemptions to the general prohibition on disclosure provided in section 56(2), the provisions of this Order have the effect of creating a disclosure regime comparable to the (now repealed) permitted disclosure regime in Schedule 7 to the Postal Services Act 2000 (c.26).

Article 1 provides that the Order shall come into force on the day following that on which it is made.

Article 3 prescribes certain bodies and other persons (“prescribed persons”), with the effect that disclosure of information is permitted under section 56(2)(d) of the 2011 Act, for the purposes of facilitating their carrying out of any functions under enactments prescribed by article 4.

Article 4 prescribes enactments so as to permit, under section 56(2)(d), disclosure of information by prescribed persons to facilitate the carrying out of their functions under those enactments. Disclosure of information for the purposes of civil proceedings brought under those enactments is also permitted, under subsection (2)(f) of the Act.

Article 5 prescribes certain other circumstances and purposes, with the effect that disclosure of information in and for those circumstances and purposes is permitted under section 56(2)(h) of the Act.