



Consumer Credit Act 1974

1974 CHAPTER 39

PART XII

SUPPLEMENTAL

174 Restrictions on disclosure of information.

- (1) No information obtained under or by virtue of this Act about any individual shall be disclosed without his consent.
- (2) No information obtained under or by virtue of this Act about any business shall be disclosed except, so long as the business continues to be carried on, with the consent of the person for the time being carrying it on.
- (3) Subsections (1) and (2) do not apply to any disclosure of information made—
 - (a) for the purpose of facilitating the performance of any functions, under this Act, the Trade Descriptions Act 1968 or Part II or III or section 125 (annual and other reports of Director) of the Fair Trading Act 1973 ^[F1] or the Estate Agents Act 1979 ^[F2] or the Competition Act 1980 ^[F3] or the Telecommunications Act 1984 ^[F4] or the Gas Act 1986 ^[F5] or the Airports Act 1986 ^[F6] or the Consumer Protection Act 1987 ^[F7] or the Water Act 1989 ^[F8] the Water Industry Act 1991 or any of the other consolidation Acts (within the meaning of Section 206 of that Act of 1991) ^[F9] or the Electricity Act 1989 ^[F10] or the Electricity (Northern Ireland) Order 1992 ^[F11] or Part IV of the Airports (Northern Ireland) Order 1994 ^[F12] or the Consumer Protection (Northern Ireland) Order 1987 ^[F13] or the Control of Misleading Advertisements Regulations 1988 ^[F14] or the Courts and Legal Services Act 1990 ^[F15] or the Railways Act 1993 ^[F16] or the Coal Industry Act 1994; of the Secretary of State, any other Minister ^[F3] the Director General of Telecommunications, ^[F4] the Director General of Gas Supply, ^[F5] the Civil Aviation Authority, ^[F17] the Director General of Water Services, ^[F18] the Director General of Electricity Supply, ^[F15] the Director General of Electricity Supply for Northern Ireland ^[F15] the Rail Regulator ^[F19] the Authorised Conveyancing Practitioners Board, the Coal Authority] any enforcement authority or any Northern Ireland department, or

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- (b) in connection with the investigation of any criminal offence or for the purposes of any criminal proceedings, or
- (c) for the purposes of any civil proceedings brought under or by virtue of this Act or under Part III of the ^{M1}Fair Trading Act 1973 [^{F20}or under the control of Misleading Advertisements Regulations 1988].

[^{F21}(3A) Subsection (1) and (2) do not apply to any disclosure of information by the Director to the Bank of England for the purpose of enabling or assisting the Bank to discharge its functions under the Banking Act 1987 or the Director to discharge his functions under this Act.]

- (4) Nothing in subsections (1) and (2) shall be construed—
 - (a) as limiting the particulars which may be entered in the register; or
 - (b) as applying to any information which has been made public as part of the register.
- (5) Any person who discloses information in contravention of this section commits an offence.

Textual Amendments

- F1** Words added by [Estate Agents Act 1979](#) (c. 38, SIF 124:4), **s. 10(4)(b)**
- F2** Words added by virtue of [Competition Act 1980](#) (c. 21, SIF 124:1), **s. 19(4)(d)**
- F3** Words inserted by [Telecommunications Act 1984](#) (c. 12, SIF 96), s. 109, Sch. 4 para. 60(2), **Sch. 5 para. 45**
- F4** Words inserted (E.W.S) by [Gas Act 1986](#) (c. 44, SIF 44:2), s. 67(1), **Sch. 7 para. 19**
- F5** Words inserted by [Airports Act 1986](#) (c. 31, SIF 9), s. 83(1), **Sch. 4 para. 4**
- F6** Words inserted by [Consumer Protection Act 1987](#) (c. 43, SIF 109:1), s. 48, **Sch. 4 para. 4**
- F7** Words inserted (E.W.) by [Water Act 1989](#) (c. 15, SIF 130), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 25 para. 47, Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), **58**
- F8** Words in s. 174(3)(a) inserted (E.W.) (1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991](#) (c. 60, SIF 130), ss. 2, 4(2), **Sch. 1 para. 26**
- F9** Words inserted (E.W.S.) by [Electricity Act 1989](#) (c. 29, SIF 44:1), s. 112(1)(3), Sch. 16 para. 17(1)(2), Sch. 17 paras. 33, **35(1)**
- F10** Words in s. 174(3)(a) inserted (N.I.) (1.4.1992) by S.I. 1992/231 (N.I. 1), art. 95(1), **Sch. 12 para. 14(b)**; S.R. 1992/117, **art. 3(1)**.
- F11** Words inserted (N.I.) (1.9.1995) by S.I. 1994/426 (N.I. 1), art. 71(2), **Sch. 9 para. 4**; SR. 1995 No. 294, art. 2, **Sch.**
- F12** Words inserted (N.I.) (1.3.1989) after “Consumer Protection Act 1987 ” by S.I. 1987/2049 (N.I. 20), art. 35(1), **Sch. 3 para. 2**
- F13** Words inserted (20.6.1988) after “Consumer Protection Act 1987 ” by S.I. 1988/915, **reg. 7(6)(b)(i)**
- F14** Words inserted (*prosp.*) by [Courts and Legal Services Act 1990](#) (c. 41, SIF 37), ss. 124(3), 125(3), **Sch. 18 para. 6(a)**
- F15** Words in s. 174(3)(a) inserted (6.1.1994) by 1993 c. 43, ss. 150(1)(o), 152(1), **Sch. 12 para. 8**; S.I. 1993/3237, **art. 2(2)**.
- F16** Words in s. 174(3)(a) inserted (31.10.1994) by 1994 c. 21, s. 67, **Sch. 9 para. 15(a)** (with ss. 40(7) and 66); S.I. 1994/2553, **art. 2**
- F17** Words inserted (E.W.) by [Water Act 1989](#) (c. 15, SIF 130), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 25 para. 47, Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), **58**
- F18** Words inserted (E.W.S.) by [Electricity Act 1989](#) (c. 29, SIF 44:1), s. 112(1)(3), Sch. 16 para. 17(1)(2), Sch. 17 paras. 33, **35(1)**
- F19** Words in s. 174(3)(a) substituted (31.10.94) by 1994 c. 21, s. 67, **Sch. 9 para. 15(b)** (with ss. 40(7), 66); S.I. 1994/2553, **art. 2**

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F20 Words inserted by S.I. 1988/915, **reg. 7(6)(b)(ii)**

F21 S. 174(3A) inserted by Banking Act 1987 (c. 22, SIF 10), **s. 87(1)**

Modifications etc. (not altering text)

C1 S. 174 extended (1.1.1993) by S.I. 1992/3218, **reg. 62**

C2 s. 174(3A) extended(1.1.1996) by S.I. 1995/3275, **reg. 39**

Marginal Citations

M1 1973 c. 41.

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