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## SCHEDULES

### SCHEDULE 7

#### DISCLOSURE OF INFORMATION

##### *Other permitted disclosures*

- 3 (1) Paragraph 1(2) does not apply to a disclosure made—
- (a) for the purpose of facilitating the carrying out by the Secretary of State, the Treasury, the Commission, the Competition Commission or the Council of any of his or their functions under this Act,
  - (b) for the purpose of facilitating the carrying out by a person or body mentioned in sub-paragraph (2) of any of his or its functions under an enactment or instrument specified in sub-paragraph (3),
  - (c) for the purpose of enabling or assisting the Secretary of State, the Treasury, the Department for Enterprise, Trade and Investment in Northern Ireland or the Department of Finance and Personnel in Northern Ireland to exercise any powers conferred by [<sup>F1</sup>the Financial Services and Markets Act 2000 ]<sup>M1</sup> or by the enactments relating to companies, insurance companies or insolvency,
  - (d) for the purpose of enabling or assisting an inspector appointed under the enactments relating to companies to carry out his functions,
  - (e) for the purpose of enabling or assisting an official receiver to carry out his functions under the enactments relating to insolvency or for the purpose of enabling or assisting a recognised professional body for the purposes of section 391 of the <sup>M2</sup>Insolvency Act 1986 or Article 350 of the <sup>M3</sup>Insolvency (Northern Ireland) Order 1989 to carry out its functions,
  - (f) for the purpose of facilitating the carrying out by the Health and Safety Commission or the Health and Safety Executive of any of its functions under any enactment or of facilitating the carrying out by any enforcing authority (within the meaning of Part I of the <sup>M4</sup>Health and Safety at Work etc. Act 1974) of any functions under a relevant statutory provision (within the meaning of that Act),
  - (g) for the purpose of facilitating the carrying out by the Health and Safety Executive for Northern Ireland of any of its functions under any enactment or of facilitating the carrying out by any enforcing authority (within the meaning of Part I of the <sup>M5</sup>Health and Safety at Work (Northern Ireland) Order 1978) of any function under a relevant statutory provision (within the meaning of that Order),
  - (h) for the purpose of facilitating the carrying out by the Comptroller and Auditor General, or the Comptroller and Auditor General for Northern Ireland, of any of his functions under any enactment,
  - (i) in connection with the investigation of any criminal offence or for the purposes of any criminal proceedings,
  - (j) for the purposes of any civil proceedings brought by virtue of this Act or any enactment or instrument specified in sub-paragraph (3),

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- (k) in pursuance of a Community obligation,
- (l) by the Secretary of State, or with his consent, to an international organisation of which the United Kingdom is a member,
- (m) in connection with negotiations conducted by officers of the Secretary of State with representatives of the government of a country or territory outside the United Kingdom,
- (n) in connection with the discharge of an obligation of the United Kingdom under international arrangements.

(2) The persons and bodies are—

- (a) any Minister of the Crown,
- (b) any Northern Ireland department,
- (c) any Northern Ireland Minister,
- [<sup>F2</sup>(d) the Office of Fair Trading,]
- (e) the Competition Commission,
- [<sup>F3</sup>(f) the Office of Communications,]
- (g) the Independent Television Commission,
- <sup>F4</sup>(h) .....
- (i) the Director General of Gas for Northern Ireland,
- [<sup>F5</sup>(j) the Water Services Regulation Authority,]
- (k) the Water Appeals Commission for Northern Ireland,
- <sup>F4</sup>(l) .....
- (m) the Director General of Electricity Supply for Northern Ireland,
- (n) the Coal Authority,
- (o) the Civil Aviation Authority,
- (p) the [<sup>F6</sup>Office of Rail Regulation],
- (q) the Insolvency Practitioners Tribunal,
- (r) a local weights and measures authority in Great Britain.
- [<sup>F7</sup>(s) the Financial Services Authority,
- (t) the Gas and Electricity Markets Authority,
- (u) the Gas and Electricity Consumer Council.]

[<sup>F8</sup>(3) The enactments and instruments are—

- (a) the Industrial and Provident Societies Act 1965 <sup>M6</sup>,
- (b) the Industrial and Provident Societies Act 1967 <sup>M7</sup>,
- (c) the Trade Descriptions Act 1968 <sup>M8</sup>,
- (d) the Friendly and Industrial and Provident Societies Act 1968 <sup>M9</sup>,
- (e) the Fair Trading Act 1973 <sup>M10</sup>,
- (f) the Consumer Credit Act 1974 <sup>M11</sup>,
- (g) the Friendly Societies Act 1974 <sup>M12</sup>,
- (h) the Industrial and Provident Societies Act 1975 <sup>M13</sup>,
- (i) the Industrial and Provident Societies Act 1978 <sup>M14</sup>,
- (j) the Estate Agents Act 1979 <sup>M15</sup>,
- (k) the Credit Unions Act 1979 <sup>M16</sup>,
- (l) the Competition Act 1980 <sup>M17</sup>,

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- (m) the Telecommunications Act 1984 <sup>M18</sup> ,
- (n) the Airports Act 1986 <sup>M19</sup> ,
- (o) the Gas Act 1986 <sup>M20</sup> ,
- (p) the Insolvency Act 1986 <sup>M21</sup> ,
- (q) the Building Societies Act 1986 <sup>M22</sup> ,
- (r) the Consumer Protection Act 1987 <sup>M23</sup> ,
- (s) the Electricity Act 1989 <sup>M24</sup> ,
- (t) the Broadcasting Act 1990 <sup>M25</sup> ,
- (u) the Property Misdescriptions Act 1991 <sup>M26</sup> ,
- (v) the Water Industry Act 1991 <sup>M27</sup> ,
- (w) the Water Resources Act 1991 <sup>M28</sup> ,
- (x) the Friendly Societies Act 1992 <sup>M29</sup> ,
- (y) the Railways Act 1993 <sup>M30</sup> ,
- (z) the Coal Industry Act 1994 <sup>M31</sup> ,
- (aa) the Broadcasting Act 1996 <sup>M32</sup> ,
- (bb) the Competition Act 1998 <sup>M33</sup> ,
- (cc) the Financial Services and Markets Act 2000 <sup>M34</sup> ,
- (dd) the Regulation of Investigatory Powers Act 2000 <sup>M35</sup> ,
- (ee) the Utilities Act 2000 <sup>M36</sup> ,
- (ff) Part I of the Transport Act 2000 <sup>M37</sup> ,
- (gg) the Insolvency Act 2000 <sup>M38</sup> ,  
    [ the Enterprise Act 2002,]
- <sup>F9</sup>(gh)  
    [ the Communications Act 2003,]
- <sup>F10</sup>(gi)  
    [ the Water Act 2003,]
- <sup>F11</sup>(gi)  
    [ the Railways Act 2005,]
- <sup>F12</sup>(gk)  
(hh) the Water and Sewerage Services (Northern Ireland) Order [<sup>F13</sup>2006],  
(ii) the Audit (Northern Ireland) Order 1987 <sup>M39</sup> ,  
(ij) the Consumer Protection (Northern Ireland) Order 1987 <sup>M40</sup> ,  
(kk) the Insolvency (Northern Ireland) Order 1989 <sup>M41</sup> ,  
(ll) the Electricity (Northern Ireland) Order 1992 <sup>M42</sup> ,  
(mm) Part IV of the Airports (Northern Ireland) Order 1994 <sup>M43</sup> ,  
(nn) the Gas (Northern Ireland) Order 1996 <sup>M44</sup> ,  
(oo) the Water (Northern Ireland) Order 1999 <sup>M45</sup> ,
- <sup>F14</sup>(pp) .....
- (qq) any subordinate legislation made for the purpose of securing compliance with the Directive of the Council of the European Communities of 10th September 1984 (No. 84/450/ EEC) on the approximation of the laws,

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regulations and administrative provisions of the member States concerning misleading advertising.]

#### Textual Amendments

- F1** Words in Sch. 7 para. 3(1)(c) substituted (1.12.2001) by S.I. 2001/3617, **art. 2(2)**
- F2** Sch. 7 para. 3(2)(d) substituted (1.4.2003) by Enterprise Act 2002 (c. 40), s. 279, **Sch. 25 para. 42(7)(a)**; S.I. 2003/766, **art. 2**, Sch. (with **art. 3**) (as amended (20.7.2007) by S.I. 2007/1846, reg. 3(2), Sch.)
- F3** Sch. 7 para. 3(2)(f) substituted (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by Communications Act 2003 (c. 21), s. 411(2), **Sch. 17 para. 162(3)(a)** (with Sch. 18); S.I. 2003/1900, **arts. 1(2), 2(1)**, Sch. 1 (with **art. 3**) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, **art. 3(2)** (with **art. 11**)
- F4** Sch. 7 para. 3(2)(h)(l) deleted (1.12.2001) by virtue of S.I. 2001/3617, **art. 2(3)**
- F5** Sch. 7 para. 3(2)(j) substituted (1.4.2006) by Water Act 2003 (c. 37), s. 105(3), **Sch. 7 para. 33(a)**; S.I. 2005/2714, **art. 4(f)**
- F6** Words in Sch. 7 substituted (5.7.2004) by Railways and Transport Safety Act 2003 (c. 20), **Sch. 2 para. 19(r)**; S.I. 2004/827, **art. 4(g)**
- F7** Sch. 7 para. 3(s)(t)(u) added (1.12.2001) by S.I. 2001/3617, **art. 2(3)**
- F8** Sch. 7 para. 3(3) substituted (1.12.2001) by S.I. 2001/3617, **art. 2(4)**
- F9** Sch. 7 para. 3(3)(gh) inserted (1.4.2003) by Enterprise Act 2002 (c. 40), s. 279, **Sch. 25 para. 42(7)(b)**; S.I. 2003/766, **art. 2**, Sch. (with **art. 3**) (as amended (20.7.2007) by S.I. 2007/1846, reg. 3(2), Sch.)
- F10** Sch. 7 para. 3(3)(gi) inserted (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by Communications Act 2003 (c. 21), s. 411(2), **Sch. 17 para. 162(3)(b)** (with Sch. 18); S.I. 2003/1900, **arts. 1(2), 2(1)**, Sch. 1 (with **art. 3**) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, **art. 3(2)** (with **art. 11**)
- F11** Sch. 7 para. 3(3)(gi) inserted (1.4.2004) by Water Act 2003 (c. 37), s. 105(3), **Sch. 7 para. 33(b)**; S.I. 2004/641, **art. 3(y)**, Sch. 2 (with Sch. 3 para. 7)
- F12** Sch. 7 para. 3(3)(gk) inserted (8.6.2005) by Railways Act 2005 (c. 14), s. 60(2), **Sch. 12 para. 15**; S.I. 2005/1444, **art. 2(1)**, Sch. 1
- F13** Word in Sch. 7 para. 3(3)(hh) substituted (N.I.) (1.4.2007) by The Water and Sewerage Services (Northern Ireland) Order 2006 (S.I. 2006/3336), **art. 1(2)**, **Sch. 12 para. 41** (with arts. 8(8), 121(3), 307); S.R. 2007/194, **art. 2(2)**, Sch. Pt. 2 (with Sch. 2)
- F14** Sch. 7 para. 3(3)(pp) repealed (20.7.2007) by EC Competition Law (Articles 84 and 85) Enforcement (Revocation) Regulations 2007 (S.I. 2007/1846), reg. 1, **Sch.**

#### Modifications etc. (not altering text)

- C1** Sch. 7 para. 3 modified (8.2.2007 immediately before the Wireless Telegraphy Act 2006 (c. 36) comes into force) by Wireless Telegraphy (Pre-Consolidation Amendments) Order 2006 (S.I. 2006/1391), **art. 1**, **Sch. para. 7(3)(f)**
- C2** Sch. 7 para. 3(1): disclosure powers extended (14.12.2001) by 2001 c. 24, ss. 17, 127(2), **Sch. 4 Pt. 1 para. 51**

#### Commencement Information

- I1** Sch. 7 para. 3 wholly in force; Sch. 7 para. 3 not in force at Royal Assent see s. 130; Sch. 7 para. 3(1)(b)-(n)(2)(3) in force and Sch. 7 para. 3(1)(a) in force for specified purposes at 6.11.2000 and Sch. 7 para. 3(1)(a) in force for further specified purposes at 1.1.2001 and in force insofar as not already in force at 26.3.2001 by S.I. 2000/2957, **art. 2(1)-(3)**, **Schs. 1, 2, 3** (with transitional provisions in **arts. 3-8**)

#### Marginal Citations

- M1** 2000 c. 8.  
**M2** 1986 c. 45.  
**M3** S.I. 1989/2405 (N.I. 19).

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- M4 1974 c. 37.
- M5 S.I. 1978/1039 (N.I. 9).
- M6 1965 c. 12.
- M7 1967 c. 48.
- M8 1968 c. 29.
- M9 1968 c. 55.
- M10 1973 c. 41.
- M11 1974 c.39.
- M12 1974 c. 46.
- M13 1975 c. 41.
- M14 1978 c. 34.
- M15 1979 c. 38.
- M16 1979 c. 34.
- M17 1980 c. 21.
- M18 1984 c. 12.
- M19 1986 c. 31.
- M20 1986 c. 44.
- M21 1986 c. 45.
- M22 1986 c. 53.
- M23 1987 c. 43.
- M24 1989 c. 29.
- M25 1990 c. 42.
- M26 1991 c. 29.
- M27 1991 c. 56.
- M28 1991 c. 57.
- M29 1992 c. 40.
- M30 1993 c. 43.
- M31 1994 c. 21.
- M32 1996 c. 55.
- M33 1998 c. 41.
- M34 2000 c. 8.
- M35 2000 c. 23.
- M36 2000 c. 27.
- M37 2000 c. 38.
- M38 2000 c. 39.
- M39 S.I. 1987/460 (N.I. 5).
- M40 S.I. 1987/2049 (N.I. 20).
- M41 S.I. 1989/2405 (N.I. 19).
- M42 S.I. 1992/231 (N.I. 1).
- M43 S.I. 1994/426 (N.I. 1).
- M44 S.I. 1996/275 (N.I. 2).
- M45 S.I. 1999/662 (N.I. 6).

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