

*These notes refer to the Serious Crime Act 2007 (c.27)
which received Royal Assent on 30th October 2007*

SERIOUS CRIME ACT 2007

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3: Other Measures to Prevent or Disrupt Serious and Other Crime

Chapter 1: Prevention of Fraud

Sharing information with anti-fraud organisations

Section 69: Offence for certain further disclosures of information

235. *Subsection (1)* makes it an offence to further disclose protected information in the circumstances set out in that subsection. *Subsection (2)* provides exemptions from the offence. *Subsection (3)* excludes from the offence cases where the information has been disclosed by a relevant public authority and the subject matter of it is within the legislative competence of the Scottish Parliament. *Subsection (4)* provides a defence to the offence if the person reasonably believed the disclosure was lawful or that the information had already and lawfully been made public. *Subsection (5)* defines ‘protected information’ as ‘revenue and customs information’ which reveals the identity of the person to whom it relates and any ‘specified information’ disclosed by a ‘specified public authority’ (these expressions are defined in *subsection (7)*). *Subsection (6)* defines revenue and customs information for the purpose of this section. *Subsection (7)* defines ‘Commissioners of Revenue and Customs’; ‘enactment’; ‘public authority’ (by reference to the definition in section 68); ‘Revenue and Customs’; ‘specified anti-fraud organisation’ (by reference to the definition in section 68); ‘specified information’ (that is, information specified or described in an order made by the Secretary of State) and ‘specified public authority’ (that is, a public authority specified in an order made by the Secretary of State. See section 89 for further provisions about such orders.)