



Financial Services (Banking Reform) Act 2013

2013 CHAPTER 33

PART 5

REGULATION OF PAYMENT SYSTEMS

Disclosure of information

92 Exemptions from section 91

- (1) Section 91 does not prevent a disclosure of confidential information which—
 - (a) is made for the purpose of facilitating the carrying out of a public function, and
 - (b) is permitted by regulations made by the Treasury under this section.
- (2) For the purposes of this section “public functions” includes—
 - (a) functions conferred by or in accordance with any provision contained in any enactment;
 - (b) functions conferred by or in accordance with any provision contained in the EU Treaties or any EU instrument;
 - (c) similar functions conferred on persons by or under provisions having effect as part of the law of a country or territory outside the United Kingdom;
 - (d) functions exercisable in relation to specified disciplinary proceedings.
- (3) Regulations under this section may, in particular, make provision permitting the disclosure of confidential information or of confidential information of a specified kind—
 - (a) by specified recipients, or recipients of a specified description, to any person for the purpose of enabling or assisting the recipient to discharge specified public functions;

Status: This is the original version (as it was originally enacted).

- (b) by specified recipients, or recipients of a specified description, to specified persons, or persons of specified descriptions, for the purpose of enabling or assisting those persons to discharge specified public functions;
 - (c) by the Payment Systems Regulator to the Treasury for any purpose;
 - (d) by any recipient if the disclosure is with a view to or in connection with specified proceedings.
- (4) Regulations under this section may also include provision—
- (a) making any permission to disclose confidential information subject to conditions (which may relate to the obtaining of consents or any other matter);
 - (b) restricting the uses to which confidential information disclosed under the regulations may be put.
- (5) In relation to confidential information, each of the following is a “recipient”—
- (a) a primary recipient;
 - (b) a person obtaining the information directly or indirectly from a primary recipient.
- (6) In this section—
- “confidential information” and “primary recipient” have the same meaning as in section 91;
 - “specified” means specified in regulations.