



Economic Crime (Transparency and Enforcement) Act 2022

2022 CHAPTER 10

PART 1

REGISTRATION OF OVERSEAS ENTITIES

Sharing of information by HMRC

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- (1) The Commissioners for Her Majesty's Revenue and Customs may disclose information to the Secretary of State^{FI}... for the purpose of the taking of action in connection with an offence under this Part.
- (2) For the purposes of this section, the taking of action in connection with an offence under this Part includes any of the following—
 - (a) investigating whether an offence has been committed;
 - (b) prosecuting an offence;
 - (c) imposing financial penalties for conduct amounting to an offence.
- (3) A person who receives information as a result of this section—
 - (a) may not use the information other than for the purpose of the taking of action in connection with an offence under this Part;
 - (b) may not further disclose the information unless the disclosure is necessary for the taking of action in connection with an offence under this Part.
- (4) It is an offence for a person to disclose, in contravention of subsection (3)(b), any revenue and customs information relating to a person whose identity—
 - (a) is specified in the disclosure, or
 - (b) can be deduced from it.

Changes to legislation: There are currently no known outstanding effects for the Economic Crime (Transparency and Enforcement) Act 2022, Cross Heading: Sharing of information by HMRC. (See end of Document for details)

- (5) It is a defence for a person charged with an offence under subsection (4) to prove that the person reasonably believed—
- (a) that the disclosure was lawful, or
 - (b) that the information had already lawfully been made available to the public.
- (6) Subsections (4) to (7) of section 19 of the Commissioners for Revenue and Customs Act 2005 apply to an offence under subsection (4) as they apply to an offence under that section.
- (7) In this section “revenue and customs information relating to a person” has the same meaning as in section 19 of the Commissioners for Revenue and Customs Act 2005 (see section 19(2) of that Act).

Textual Amendments

- F1** Words in s. 40(1) omitted (26.10.2023 for specified purposes, 4.3.2024 in so far as not already in force) by virtue of Economic Crime and Corporate Transparency Act 2023 (c. 56), s. 219(1)(2)(b), Sch. 3 para. 5; S.I. 2024/269, reg. 2(z36)

Commencement Information

- I1** S. 40 not in force at Royal Assent, see s. 69
- I2** S. 40 in force at 1.8.2022 for specified purposes by S.I. 2022/876, reg. 3(1)
- I3** S. 40 in force at 12.10.2022 in so far as not already in force by S.I. 2022/1039, reg. 2(a)

Changes to legislation:

There are currently no known outstanding effects for the Economic Crime (Transparency and Enforcement) Act 2022, Cross Heading: Sharing of information by HMRC.