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STATUTORY INSTRUMENTS

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**2001 No. 3648**

The Financial Services and Markets Act 2000  
(Confidential Information) (Bank of England)  
(Consequential Provisions) Order 2001

PART III

DISCLOSURE OF INFORMATION OBTAINED  
UNDER COMPANIES LEGISLATION

**Information to which this Part applies**

- 5.—(1) This Part applies to information disclosed after commencement to the Bank—
- (a) under subsection (1) of section 449 of the Companies Act 1985<sup>(1)</sup>, or
  - (b) under paragraph (1) of Article 442 of the Companies (Northern Ireland) Order 1986<sup>(2)</sup>,
- in its capacity as a competent authority under section 449(3) of that Act or Article 442(3) of that Order (as the case may be) (“companies information”).
- (2) Subject to paragraphs (3) and (4), companies information may be disclosed in accordance with section 349 of the Act and the Disclosure Regulations as if—
- (a) it were confidential information within the meaning of section 348(2) of the Act; and
  - (b) the Bank were a primary recipient of the information.
- (3) The Bank may disclose companies information in accordance with Part IV of the Disclosure Regulations only with—
- (a) in the case of information disclosed as mentioned in paragraph (1)(a), the consent of the Secretary of State, or
  - (b) in the case of information disclosed as mentioned in paragraph (1)(b), the consent of the Department of Enterprise, Trade and Investment in Northern Ireland.
- (4) A person other than the Bank must not disclose such information under paragraph (2) except with the consent of—
- (a) in the case of information disclosed as mentioned in paragraph (1)(a), the consent of the Secretary of State, or
  - (b) in the case of information disclosed as mentioned in paragraph (1)(b), the consent of the Department of Enterprise, Trade and Investment in Northern Ireland.

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(1) 1985 c. 6.

(2) S.I.1986/1032 (N.I. 6).