
STATUTORY INSTRUMENTS

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⁽¹⁾, or
 - (b) under paragraph (1) of Article 442 of the Companies (Northern Ireland) Order 1986⁽²⁾,
- 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.

(1) 1985 c. 6.

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