

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order makes provision for the disclosure of information to and by the Director of the Assets Recovery Agency. The Director is established under Part 1 of the Proceeds of Crime Act 2002 (“the Act”) and has functions in relation to criminal confiscation, civil recovery of the proceeds of unlawful conduct, taxation and related investigations.

Article 2 deals with disclosure of information to the Director. It introduces the Schedule to this Order which designates the persons who (in addition to the persons listed in section 436 of the Act) are permitted to disclose information to the Director and the functions in respect of which they may disclose information.

Article 3 deals with disclosure of information by the Director and designates the functions (in addition to the functions listed in section 438 of the Act) for the purposes of the exercise of which the Director may disclose information.

By virtue of sections 436(3) and 438(8), this Order has effect subject to the provisions of the Data Protection Act 1998 and Part 1 of the Regulation of Investigatory Powers Act 2000.