
STATUTORY INSTRUMENTS

2018 No. 1337

**The Money Laundering and Terrorist Financing
(Miscellaneous Amendments) Regulations 2018**

PART 3

Oversight Regulations

Amendment of the Oversight of Professional Body Anti-Money Laundering and Counter Terrorist Financing Supervision Regulations 2017

5.—(1) The Oversight of Professional Body Anti-Money Laundering and Counter Terrorist Financing Supervision Regulations 2017(1) are amended as follows.

(2) For regulation 12 (disclosure) substitute—

“Disclosure

12.—(1) The FCA may disclose information it holds, provided the disclosure is made—

- (a) for purposes connected with the effective exercise of the functions of the FCA under these Regulations;
- (b) to a relevant authority, for purposes connected with the effective exercise of the functions of that relevant authority under these Regulations or the MLR;
- (c) to a law enforcement authority, for purposes connected with the exercise of the functions of that authority; or
- (d) with a view to the institution of, or otherwise for the purposes of, any criminal or other enforcement proceedings.

(2) Information disclosed under paragraph (1) may not be further disclosed by any person except where the further disclosure—

- (a) has the consent of the person or persons mentioned in regulation 11(2)(a);
- (b) is made by, or to, a relevant authority for purposes connected with the effective exercise of the functions under these Regulations or the MLR of—
 - (i) the relevant authority receiving the information, or
 - (ii) the relevant authority disclosing the information;
- (c) is made by, or to, a law enforcement authority for purposes connected with the effective exercise of the functions of the law enforcement authority;
- (d) is made by a relevant authority with a view to the institution of, or otherwise for the purposes of, any criminal or other enforcement proceedings;

- (e) is made by, or to, the Secretary of State for purposes connected with the effective exercise of his or her functions under enactments relating to companies and insolvency; or
 - (f) is required by law.
- (3) For the purposes of this regulation—
- “law enforcement authority” means—
- (a) the National Crime Agency;
 - (b) the police forces maintained under section 2 of the Police Act 1996⁽²⁾ (maintenance of police forces);
 - (c) the Police of the Metropolis;
 - (d) the Police for the City of London;
 - (e) the Police Service of Scotland;
 - (f) the Police Service of Northern Ireland;
 - (g) the Serious Fraud Office;
- “relevant authority” means—
- (a) the Commissioners for Her Majesty’s Revenue and Customs;
 - (b) the Financial Reporting Council;
 - (c) the Gambling Commission;
 - (d) the Legal Services Board;
 - (e) an overseas authority, within the meaning of regulation 50(4) of the MLR, which undertakes to comply with such conditions in relation to the information as the FCA considers appropriate;
 - (f) a self-regulatory organisation;
 - (g) a skilled person;
 - (h) the Secretary of State;
 - (i) the Treasury.”.

(2) 1996 c. 16. Section 2 was amended by paragraph 3 and 4 of Schedule 16 to the Police Reform and Social Responsibility Act 2011 (c. 13).