

STATUTORY INSTRUMENTS

2022 No. 1281

The Haiti (Sanctions) Regulations 2022

PART 6

Information and records

Part 6: supplementary

39.—(1) A disclosure of information under regulation 37 (disclosure of information) or 38 (finance: disclosure to the Treasury) does not breach any restriction on such disclosure imposed by statute or otherwise.

(2) But nothing in those regulations authorises a disclosure that—

(a) contravenes the data protection legislation, or

(b) is prohibited by any of Parts 1 to 7 or Chapter 1 of Part 9 of the Investigatory Powers Act 2016⁽¹⁾.

(3) Nothing in this Part is to be read as requiring a person who has acted or is acting as counsel or solicitor for any person to disclose any privileged information in their possession in that capacity.

(4) Regulations 37 and 38 do not limit the circumstances in which information may be disclosed apart from those regulations.

(5) Nothing in this Part limits any conditions which may be contained in a Treasury licence [^{F1}or a trade licence].

(6) In this regulation—

“the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act)⁽²⁾;

“privileged information” means information with respect to which a claim to legal professional privilege (in Scotland, to confidentiality of communications) could be maintained in legal proceedings.

Textual Amendments

F1 Words in [reg. 39\(5\)](#) inserted (28.12.2023) by [The Haiti \(Sanctions\) \(Amendment\) Regulations 2023 \(S.I. 2023/1320\)](#), [regs. 1\(2\)](#), [15](#)

Commencement Information

I1 Reg. 39 in force at 28.12.2022, see [reg. 1\(2\)](#)

- (1) [2016 c. 25](#). Amendments have been made by the Policing and Crime Act 2017, Schedule 9, paragraph 74; the Data Protection Act 2018 ([c. 12](#)), Schedule 19, paragraphs 198-203; the Counter-Terrorism and Border Security Act 2019 ([c. 3](#)), Schedule 4, paragraph 33; the Sanctions and Anti-Money Laundering Act 2018, section 59(4), Schedule 3, paragraph 7; the Crime (Overseas Production Orders) Act 2019 ([c. 5](#)), section 16; [S.I. 2018/378](#); [S.I. 2018/652](#); [S.I. 2018/905](#); [S.I. 2018/1123](#); [S.I. 2019/419](#); [S.I. 2019/742](#); [S.I. 2019/939](#); and [S.I. 2020/661](#). Saving provisions are made by [S.I. 2017/859](#).
- (2) [2018 c. 12](#). There are amendments to this Act but none are relevant to these Regulations.

Changes to legislation: There are currently no known outstanding effects for the The
Haiti (Sanctions) Regulations 2022, Section 39. (See end of Document for details)

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There are currently no known outstanding effects for the The Haiti (Sanctions) Regulations 2022, Section 39.