

SCHEDULES

SCHEDULE 2

FINANCIAL INVESTIGATIONS

Modifications etc. (not altering text)

- C1** Sch. 2: transfer of functions from Secretary of State to Department of Justice (12.4.2010) by [Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), arts. 1(2), 4(1)(2), [Sch. 1](#) (with arts. 28-31); S.I. 2010/977, [art. 1\(2\)](#)

Restriction on disclosure of information

7.—(1) Information obtained by a person in his capacity as a financial investigator may not be disclosed by him except—

- (a) to a constable;
- (b) to any Northern Ireland department or government department or other authority or body discharging its functions on behalf of the Crown (including the Crown in right of Her Majesty's Government in the United Kingdom);
- (c) to any competent authority; or
- (d) to any person or body having, under the law of any country or territory outside the United Kingdom, functions corresponding to any of the functions of any person or body mentioned in heads (a) to (c).

(2) The following are competent authorities for the purposes of sub-paragraph (1)(c)—

- (a) an inspector appointed under^{F1} . . . Part XIV of the Companies Act 1985;
- (b) the Official Receiver for Northern Ireland;
- (c) an Official Receiver;
- (d) the Accountant in Bankruptcy;
- (e) a person appointed to carry out an investigation under section 55 of the Building Societies Act 1986;
- (f) a body administering a compensation scheme under section 54 of the Financial Services Act 1986;
- (g) an inspector appointed under section 94 of that Act;
- (h) a person exercising powers by virtue of section 106 of that Act;
- (i) an inspector appointed under section 177 of that Act;
- (j) a person appointed by the Bank of England under section 41 of the Banking Act 1987 to carry out an investigation and make a report;
- (k) a person exercising powers by virtue of section 44(2) of the Insurance Companies Act 1982; and

Changes to legislation: The Proceeds of Crime (Northern Ireland) Order 1996, Cross Heading: Restriction on disclosure of information is up to date with all changes known to be in force on or before 14 March 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (l) any body having supervisory, regulatory or disciplinary functions in relation to any profession or any area of commercial activity.
- (3) The Secretary of State may, by regulations,—
 - (a) amend sub-paragraph (2) by adding to, or deleting from, the competent authorities for the purposes of sub-paragraph (1)(c);
 - (b) impose conditions subject to which, and otherwise restrict the circumstances in which, information may be disclosed under sub-paragraph (1)(d).

F1 Words in [Sch. 2 para. 7\(2\)\(a\)](#) omitted (1.10.2009) by virtue of [Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009 \(S.I. 2009/1941\)](#), art. 2(1), [Sch. 1 para. 165](#) (with art. 10)

Changes to legislation:

The Proceeds of Crime (Northern Ireland) Order 1996, Cross Heading: Restriction on disclosure of information is up to date with all changes known to be in force on or before 14 March 2023.

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Changes and effects yet to be applied to :

- Instrument restr. by [1998 c. 35 s.14\(3\)\(b\)](#)
- Instrument restr. by [1998 c. 35 s.14\(3\)\(c\)](#)
- defn. of drug trafficking offence applied by [1997 c. 43 s.3\(5\)](#)
- defn. of drug trafficking offence applied by [1997 c. 43 s.3\(5\)](#)