



Legal Services Act 2007

2007 CHAPTER 29

PART 7

FURTHER PROVISIONS RELATING TO THE BOARD AND THE OLC

Disclosure and use of information

169 Disclosure of information to the Board

- (1) Information which is held by or on behalf of a permitted person (whether obtained before or after this section comes into force) may be disclosed to the Board for the purposes of enabling or assisting the Board to exercise its functions (whether as an approved regulator, a licensing authority or otherwise).
- (2) A disclosure under this section is not to be taken to breach any restriction on the disclosure of information (however imposed).
- (3) But nothing in this section authorises the making of a disclosure—
 - (a) which contravenes [^{F1}the data protection legislation], or
 - (b) which is prohibited by [^{F2}any of Parts 1 to 7 or Chapter 1 of Part 9 of the Investigatory Powers Act 2016].
- (4) This section does not affect a power to disclose which exists apart from this section.
- (5) The following are permitted persons—
 - (a) a chief officer of police of a police force in England and Wales;
 - [^{F3}(b) the chief constable of the Police Service of Scotland;]
 - (c) the Chief Constable of the Police Service of Northern Ireland;
 - (d) the [^{F4}Director General of the National Crime Agency];
 - (e) the Commissioners for Her Majesty's Revenue and Customs;
 - [^{F5}(f) the Financial Conduct Authority;
 - (g) the Prudential Regulation Authority;
 - (h) the Bank of England.]

Changes to legislation: There are currently no known outstanding effects for the Legal Services Act 2007, Section 169. (See end of Document for details)

- (6) The Lord Chancellor may by order designate as permitted persons other persons who exercise functions which the Lord Chancellor considers are of a public nature (including a person discharging regulatory functions in relation to any description of activities).
- (7) Information must not be disclosed under this section on behalf of the Commissioners for Her Majesty's Revenue and Customs unless the Commissioners authorise the disclosure.
- (8) The power to authorise a disclosure under subsection (7) may be delegated (either generally or for a specific purpose) to an officer of Revenue and Customs.
- [^{F6}(9) In this section, “the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act).]

Textual Amendments

- F1** Words in s. 169(3)(a) substituted (25.5.2018) by [Data Protection Act 2018 \(c. 12\)](#), s. 212(1), [Sch. 19 para. 147\(2\)](#) (with [ss. 117, 209, 210](#)); S.I. 2018/625, reg. 2(1)(g)
- F2** Words in s. 169(3)(b) substituted (27.6.2018) by [Investigatory Powers Act 2016 \(c. 25\)](#), s. 272(1), [Sch. 10 para. 20](#) (with [Sch. 9 paras. 7, 8, 10](#)); S.I. 2018/652, reg. 12(g)(iii)
- F3** S. 169(5)(b) substituted (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), [Sch. 2 para. 58](#)
- F4** Words in s. 169(5)(d) substituted (7.10.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(2), [Sch. 8 para. 187](#); S.I. 2013/1682, art. 3(v)
- F5** S. 169(5)(f)-(h) substituted for s. 169(5)(f) (1.4.2013) by [Financial Services Act 2012 \(c. 21\)](#), s. 122(3), [Sch. 18 para. 125\(3\)](#) (with [Sch. 20](#)); S.I. 2013/423, art. 3, [Sch. 19 para. 147\(3\)](#)
- F6** S. 169(9) inserted (25.5.2018) by [Data Protection Act 2018 \(c. 12\)](#), s. 212(1), [Sch. 19 para. 147\(3\)](#) (with [ss. 117, 209, 210](#)); S.I. 2018/625, reg. 2(1)(g)

Commencement Information

- I1** S. 169 wholly in force at 1.1.2010 see s. 211 and [S.I. 2009/3250, art. 2\(e\)](#) (subject to [art. 3\(2\)](#) (as amended (30.9.2011) by [S.I. 2011/2196](#), arts. 1(2), 5) and with [art. 9](#))

Changes to legislation:

There are currently no known outstanding effects for the Legal Services Act 2007, Section 169.