



# Financial Services Act 2012

## 2012 CHAPTER 21

### PART 5

#### INQUIRIES AND INVESTIGATIONS

##### *Publication of reports*

#### **82 Publication of reports of inquiries and investigations**

- (1) This section applies where a report is made to the Treasury under section 71 or 79.
- (2) Subject to subsection (3), the Treasury must publish the report in full.
- (3) The Treasury may withhold material in the report from publication to such extent—
  - (a) as is required by any statutory provision [<sup>F1</sup>(including any provision of [<sup>F2</sup>assimilated direct] legislation)] or rule of law, or
  - (b) as the Treasury consider to be necessary in the public interest, having regard in particular to the matters mentioned in subsection (4).
- (4) Those matters are—
  - (a) the extent to which withholding material might inhibit the allaying of public concern;
  - (b) the risk of harm or damage that could be avoided or reduced by withholding any material;
  - (c) any conditions of confidentiality subject to which any person acquired information that was given to the inquiry or used in the investigation.
- (5) In subsection (4)(b) “harm or damage” includes in particular—
  - (a) damage to national security or international relations;
  - (b) damage to the economic interests of the United Kingdom or a part of the United Kingdom;
  - (c) damage caused by disclosure of commercially sensitive information.
- (6) The Treasury must lay before Parliament whatever is published under subsection (2).

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**Changes to legislation:** Financial Services Act 2012, Cross Heading: Publication of reports is up to date with all changes known to be in force on or before 11 April 2024. 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

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- (7) If the Treasury receive a report under section 71 or 79, but withhold all or part of the material in the report from publication, they must publish and lay before Parliament a statement of their reasons for not publishing the report in full.
- (8) Publication under subsection (2) or (7) is to be in such manner as the Treasury think fit.
- (9) References to a report under section 71 or 79 include references to an interim report required under section 69 or 78.

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#### Textual Amendments

- F1** Words in s. 82(3)(a) substituted (31.12.2020) by [The Deposit Guarantee Scheme and Miscellaneous Provisions \(Amendment\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1285\)](#), regs. 1(3), 4; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in s. 82(3)(a) substituted (1.1.2024) by [The Retained EU Law \(Revocation and Reform\) Act 2023 \(Consequential Amendment\) Regulations 2023 \(S.I. 2023/1424\)](#), reg. 1(2), **Sch. para. 77(2)(a)**

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#### Commencement Information

- I1** S. 82 in force at 1.4.2013 by [S.I. 2013/423](#), art. 3, **Sch.**

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act power to apply conferred (temp.) by [2014 c. 21 s. 79\(4\)](#)
- Act power to apply conferred (temp.) by [2014 c. 21 s. 81\(10\)](#)