

## SCHEDULES

### SCHEDULE 7

#### INFORMATION: RESTRICTIONS ON DISCLOSURE

#### PART 2

##### RESTRICTIONS ON DISCLOSURES OF PARTICULAR TYPES OF INFORMATION

###### *HMRC & customs information*

- 2 (1) An NCA officer must not disclose—
- (a) HMRC information,
  - (b) personal customs information, or
  - (c) personal customs revenue information,
- unless the relevant authority consents to the disclosure.
- (2) If an NCA officer has disclosed—
- (a) HMRC information,
  - (b) personal customs information, or
  - (c) personal customs revenue information,
- to a person, that person must not further disclose that information unless the relevant authority consents to the disclosure.
- (3) In this paragraph—
- “HMRC information” means information obtained by the NCA from the Commissioners or a person acting on behalf of the Commissioners;
  - “personal customs information” and “personal customs revenue information” have the same meanings as in the Borders, Citizenship and Immigration Act 2009 (see section 15(4) of that Act);
  - “relevant authority” means—
    - (a) the Commissioners or an officer of Revenue and Customs (in the case of a disclosure or further disclosure of HMRC information);
    - (b) the Secretary of State or a designated general customs official (in the case of a disclosure or further disclosure of personal customs information);
    - (c) the Director of Border Revenue or a designated customs revenue official (in the case of a disclosure or further disclosure of personal customs revenue information).

###### *Social security information*

- 3 (1) An NCA officer must not disclose social security information unless the relevant authority consents to the disclosure.

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- (2) If an NCA officer has disclosed social security information to a person, that person must not further disclose that information unless the relevant authority consents to the disclosure.
- (3) In this paragraph—
- “relevant authority” means—
- (a) the Secretary of State (in the case of a disclosure or further disclosure of information held, when disclosed to the NCA, for the purposes of the functions of the Secretary of State);
  - (b) the Department for Social Development in Northern Ireland (in the case of a disclosure or further disclosure of information held, when disclosed to the NCA, for the purposes of the functions of a Northern Ireland department);
- “social security information” means information which, when disclosed to the NCA, was information held for the purposes of any of the following functions of the Secretary of State or a Northern Ireland Department—
- (a) functions relating to social security, including functions relating to—
    - (i) statutory payments as defined in section 4C(11) of the Social Security Contributions and Benefits Act 1992;
    - (ii) maternity allowance under section 35 of that Act;
    - (iii) statutory payments as defined in section 4C(11) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992;
    - (iv) maternity allowance under section 35 of that Act;
    - (v) schemes and arrangements under section 2 of the Employment and Training Act 1973;
  - (b) functions relating to the investigation and prosecution of offences relating to tax credits.

*Intelligence service information*

- 4 (1) An NCA officer must not disclose intelligence service information unless the relevant authority consents to the disclosure.
- (2) If an NCA officer has disclosed intelligence service information to a person, that person must not further disclose that information unless the relevant authority consents to the disclosure.
- (3) In this paragraph—
- “intelligence service” means—
- (a) the Security Service,
  - (b) the Secret Intelligence Service, or
  - (c) GCHQ (which has the same meaning as in the Intelligence Services Act 1994);
- “intelligence service information” means information obtained from an intelligence service or a person acting on behalf of an intelligence service;
- “relevant authority” means—
- (a) the Director-General of the Security Service (in the case of information obtained by the NCA from that Service or a person acting on its behalf);

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- (b) the Chief of the Secret Intelligence Service (in the case of information obtained by the NCA from that Service or a person acting on its behalf);
- (c) the Director of GCHQ (in the case of information obtained from GCHQ or a person acting on its behalf).

*Arrangements for publishing information*

- 5        The Director General must not disclose information if the disclosure would be in breach of a requirement that is imposed on the Director General by the framework document in accordance with section 6(2).