



Financial Services (Banking Reform) Act 2013

2013 CHAPTER 33

PART 5

REGULATION OF PAYMENT SYSTEMS

Disclosure of information

93 Offences relating to disclosure of confidential information

- (1) A person who discloses information in contravention of section 91 is guilty of an offence.
- (2) A person guilty of an offence under subsection (1) is liable—
 - (a) on summary conviction—
 - (i) in England and Wales, to imprisonment for a term not exceeding 3 months or a fine, or both;
 - (ii) in Scotland, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum, or both;
 - (iii) in Northern Ireland, to imprisonment for a term not exceeding 3 months or a fine not exceeding the statutory maximum, or both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 2 years or a fine, or both.
- (3) A person is guilty of an offence if—
 - (a) information has been disclosed to the person in accordance with regulations made under section 92, and
 - (b) the person uses the information in contravention of any provision of those regulations.
- (4) A person guilty of an offence under subsection (3) is liable on summary conviction—

Status: This is the original version (as it was originally enacted).

- (a) in England and Wales, to imprisonment for a term not exceeding 51 weeks (or 3 months, if the offence was committed before the commencement of section 280(2) of the Criminal Justice Act 2003) or a fine, or both;
 - (b) in Scotland, to imprisonment for a term not exceeding 3 months or a fine not exceeding level 5 on the standard scale, or both;
 - (c) in Northern Ireland, to imprisonment for a term not exceeding 3 months or a fine not exceeding level 5 on the standard scale, or both.
- (5) In proceedings against a person (“P”) for an offence under this section it is a defence for P to prove—
- (a) that P did not know and had no reason to suspect that the information was confidential information;
 - (b) that P took all reasonable precautions and exercised all due diligence to avoid committing the offence.
- (6) In this section “confidential information” has the same meaning as in section 91.