

- (b) any functions conferred by the Privacy and Electronic Communications (EC Directive) Regulations 2003(a);
- (c) any functions conferred by or under the Financial Services and Markets Act 2000(b);
- (d) any functions conferred by or under the Financial Services (Banking Reform) Act 2013(c);
- (e) any functions conferred by the Payment Services Regulations 2009(d);
- (f) any functions conferred by or under the Company Directors Disqualification Act 1986(e).

Name
Parliamentary Under Secretary of State
Department for Culture, Media and Sport

Date

EXPLANATORY NOTE

(This note is not part of the Order)

This Order extends the circumstances in which information with respect to a particular business obtained by the Office of Communications in exercise of its functions under the Communications Act 2003 (“the 2003 Act”) and the Wireless Telegraphy Act 2006 may be disclosed to another public body. Section 393(2)(b) of the 2003 Act provides that restrictions on disclosing such information imposed by section 393(1) do not apply to any disclosure of information which is made for the purposes of facilitating the carrying out by any relevant person of any relevant function.

Article 2 specifies the Information Commissioner, the Financial Conduct Authority and the Payment Systems Regulator as relevant persons for the purposes of section 393.

Article 3 specifies as relevant functions the functions under the Data Protection Act 1986, the Privacy and Electronic Communications (EC Directive) Regulations 2003, the Financial Services and Markets Act 2000, the Financial Services (Banking Reform) Act 2013, the Payment Services Regulations 2009 and the Companies Directors Disqualification Act 1986.

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- (a) S.I. 2003/2426 as amended by S.I. 2004/1039, 2011/1208.
- (b) 2000 c.8. That Act was amended by the Financial Services Act 2012 (c.21) which renamed the Financial Services Authority as the Financial Conduct Authority.
- (c) Part 5 of that Act requires the Financial Conduct Authority to establish the Payment Systems Regulator, and confers duties and powers on the Payment Systems Regulator.
- (d) S.I. 2009/209 as amended by S.I. 2009/2476, 2012/1791, 2013/472.
- (e) 1986 c.46. Relevant amendments were made by the Deregulation and Contracting Out Act 1994(c.40), the Insolvency Act 2000 (c.39), the Enterprise Act 2002 (c.40), the Courts Act 2003 (c.39), the Companies Act 2006 (c.46), the Banking Act 2009 (c.1) and by S.I. 2001/3649, 2004/1941, 2007/2194, 2008/948, 2009/805, 2009/1941, 2012/2404.

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