



Courts and Legal Services Act 1990

1990 CHAPTER 41

PART II

LEGAL SERVICES

Extension of conveyancing services

50 Exceptions from restrictions on disclosure

- (1) Section 49 shall not prevent the disclosure of information—
 - (a) with a view to the institution, or otherwise for the purposes, of any criminal proceedings;
 - (b) with a view to the institution, or otherwise for the purposes, of any civil proceedings arising under or by virtue of this Act;
 - (c) in a summary or collection of information framed in such a way as not to enable the identity of any person to whom the information relates to be ascertained; or
 - (d) in pursuance of any Community obligation.
- (2) Section 49 shall not prevent the disclosure of information for the purpose of enabling or assisting—
 - (a) the Lord Chancellor to discharge any of his functions under this Act with respect to the Board or authorised practitioners;
 - (b) the Board to discharge any of its functions;
 - (c) the Law Society, the General Council of the Bar, the Council for Licensed Conveyancers or the Faculty Office of the Archbishop of Canterbury to discharge any of its functions;
 - (d) the Building Societies Commission to discharge any of its functions;
 - (e) the competent authority or a designated agency, recognised investment exchange, recognised clearing house, recognised self-regulating organisation or recognised professional body (all those expressions having the meaning given in the Financial Services Act 1986) to discharge any of its functions;

Status: This is the original version (as it was originally enacted).

- (f) the Bank of England to discharge any of its functions;
 - (g) the Secretary of State to discharge any of his functions under this Act, the Financial Services Act 1986 or any enactment relating to competition, companies, insurance or insolvency;
 - (h) any inspector appointed by the Secretary of State under any of the enactments mentioned in paragraph (g) to discharge any of his functions;
 - (i) an official receiver to discharge any of his functions under any enactment relating to insolvency;
 - (j) a body which is a recognised professional body under section 391 of the Insolvency Act 1986 to discharge any of its functions as such a body;
 - (k) the Insurance Brokers Registration Council to discharge any of its functions under the Insurance Brokers (Registration) Act 1977;
 - (l) any person appointed or authorised to discharge any powers under section 94, 106 or 177 of the Financial Services Act 1986 to exercise any of those powers;
 - (m) the Director to discharge any of his functions under—
 - (i) this Act;
 - (ii) the Fair Trading Act 1973 (other than Part II);
 - (iii) the Consumer Credit Act 1974;
 - (iv) the Restrictive Trade Practices Act 1976;
 - (v) the Estate Agents Act 1979;
 - (vi) the Competition Act 1980;
 - (vii) the Financial Services Act 1986;
 - (viii) the Control of Misleading Advertisements Regulations 1988;
 - (n) the Monopolies and Mergers Commission to discharge any of its functions under the Fair Trading Act 1973 and the Competition Act 1980;
 - (o) the Scottish Conveyancing and Executry Services Board to discharge any of its functions;
 - (p) an authority in a country or territory outside the United Kingdom to discharge any functions corresponding to—
 - (i) the functions of the Board, the Building Societies Commission or the Bank of England; or
 - (ii) those functions of the Secretary of State mentioned in paragraph (g);
 - (q) the Insolvency Practitioners Tribunal to discharge any of its functions under the Insolvency Act 1986;
 - (r) the Financial Services Tribunal to discharge any of its functions under the Financial Services Act 1986.
- (3) Subject to subsection (4), section 49 shall not prevent the disclosure of information for the purpose of enabling or assisting any public or other authority for the time being designated for the purposes of this section by an order made by the Lord Chancellor to discharge any functions which are specified in the order.
- (4) An order under subsection (3) designating an authority for the purposes of this section may—
- (a) impose conditions subject to which the disclosure of information is permitted by subsection (3); and
 - (b) otherwise restrict the circumstances in which disclosure is permitted.
- (5) Where information has been disclosed by one person (“the first person”) to another, by virtue of subsection (2), section 49 shall not prevent that other person from disclosing

that information to any person to whom it could have been disclosed by the first person by virtue of subsection (2).

- (6) The Lord Chancellor may by order modify the application of any provision of this section so as—
- (a) to prevent the disclosure of information by virtue of that provision; or
 - (b) to restrict the extent to which disclosure of information is permitted by virtue of that provision.