

TERRORIST ASSET-FREEZING ETC. ACT 2010

EXPLANATORY NOTES

COMMENTARY ON SECTIONS AND SCHEDULES

Part 1 – Terrorist Asset-Freezing

Chapter 3 – Information

Disclosure of information by Treasury

Section 23 - General power to disclose information

61. This section gives the Treasury power to disclose any information obtained by them in exercise of their powers under Part 1 of the Act to various people and entities, including (a) any police officer, (b) any person holding or acting in any office under or in the service of the Crown in right of the Government of the UK, the Scottish Administration, the Northern Ireland Administration or the Welsh Assembly Government, the Channel Island States and the governments of the Isle of Man or any British overseas territory, (c) any law officer of the Crown for Jersey, Guernsey or the Isle of Man, (d) the Legal Services Commission and equivalent bodies in Scotland and Northern Ireland and (e) the respective financial regulators in the UK, Jersey, Guernsey and the Isle of Man (*subsection (1)(a) to (e)*).
62. The Treasury may also disclose any information to any organ of the UN or any person in the service of the UN, the Council of the European Union, the European Commission or the Government of any country for the purpose of giving assistance or cooperation, pursuant to certain UN Security Council Resolutions (defined in section 42(2) to (4)) (*subsection (1)(f)*).
63. Information can be disclosed with a view to instituting, or otherwise for the purposes of, any proceedings in the UK for an offence under Part 1 of the Act or in any of the Channel Islands, the Isle of Man or any British overseas territory for an offence under a similar provision in any such jurisdiction (*subsection (1)(g)*).
64. *Subsection (1)(h)* further allows information to be disclosed to any third party with the consent of a person who, in their own right, is entitled to the information or to possession of the document, copy or extract (*subsection (2)* defines “in their own right”).