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## STATUTORY INSTRUMENTS

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# 2001 No. 2188

## The Financial Services and Markets Act 2000 (Disclosure of Confidential Information) Regulations 2001

### PART III

#### DISCLOSURE OF SINGLE MARKET DIRECTIVE INFORMATION AND UCITS DIRECTIVE INFORMATION

##### Application of this Part

8. This Part applies to single market directive information and UCITS directive information.

##### Disclosure by the Authority or Authority workers to certain other persons

9.—(1) Subject to paragraphs (2) and (3), the Authority or an Authority worker is permitted to disclose information to which this Part applies to a person specified in the first column in Schedule 1 for the purpose of enabling or assisting that person to discharge any of the functions listed beside him in the second column in that Schedule.

(2) Paragraph (1) does not permit disclosure to a person specified in the first column in Part 3 of Schedule 1 unless the disclosure is provided for by a cooperation agreement of the kind referred to in—

- (a) article 25.3 of the investment services directive;
- (b) article 30.3 of the banking consolidation directive;
- (c) article 15.3 of the third life insurance directive;
- (d) article 16.3 of the third non-life insurance directive, or
- (e) article 50.4 of the UCITS directive.

(3) Paragraph (1) does not permit disclosure to a person specified in the first column in Part 4 of Schedule 1—

- (a) of information obtained from an EEA competent authority, unless that authority has given its express consent to the disclosure; or
- (b) of information obtained in the course of an on-the-spot verification of the kind referred to in—
  - (i) article 24 of the investment services directive,
  - (ii) article 29 of the banking consolidation directive,
  - (iii) article 16 of the first life insurance directive, or
  - (iv) article 14 of the first non-life insurance directive,

unless the EEA competent authority of the state in which the on-the-spot verification was carried out has given its express consent to the disclosure.

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**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Financial Services and Markets Act 2000 (Disclosure of Confidential Information) Regulations 2001. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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## **Disclosure by Schedule 1 person**

**10.** A person specified in the first column in Schedule 1 is permitted to disclose information to which this Part applies for the purpose of enabling or assisting him to discharge any of the functions listed beside him in that Schedule.

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Financial Services and Markets Act 2000 (Disclosure of Confidential Information) Regulations 2001. Any changes that have already been made by the team appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to :**

- Instrument ext (transl provn) by [S.I. 2001/3648 arts 46–8](#)
- Pt. 3 omitted by [S.I. 2013/1635 reg. 12\(3\)](#)
- Pt. 3 heading words omitted by [S.I. 2003/2066 reg. 12\(b\)](#)
- Pt. 3 heading words substituted by [S.I. 2019/681 reg. 4\(6\)](#)
- Regulations amendment to earlier affecting [S.I. 2009/209, Sch. 5 para. 10](#) by [S.I. 2015/1911 reg. 17\(3\)](#)
- Regulations amendment to earlier affecting provision [S.I. 2012/3122, Sch. para. 9](#) by [S.I. 2019/681 reg. 7](#)
- Regulations amendment to earlier affecting provision [SI 2011/99, Sch. 3 para. 11](#) by [S.I. 2019/681 reg. 14\(2\)](#)
- Regulations amendment to earlier affecting provision [SI 2017/752, Sch. 6 para. 13](#) by [S.I. 2019/681 reg. 9\(3\)\(b\)](#)
- Regulations applied by [S.I. 2003/1102 reg. 16\(4\)](#)
- Regulations applied by [S.I. 2004/1045 reg. 18\(4\)](#)
- Regulations applied by [S.I. 2004/1045 reg. 38\(6\)](#)
- Regulations applied by [S.I. 2004/353 reg. 16\(4\)](#)
- Regulations applied by [S.I. 2014/3085 reg. 13](#)
- Regulations applied by [S.I. 2017/699 reg. 42](#)
- Regulations applied by [S.I. 2017/701 Sch. 1 para. 28](#)
- Regulations applied (with modifications) by [S.I. 2011/99 reg. 62Sch. 3 para. 11](#)
- Regulations applied (with modifications) by [S.I. 2012/3122 Sch. para. 9](#)
- Regulations applied (with modifications) by [S.I. 2015/1945 reg. 25\(2\)](#)
- Regulations applied (with modifications) by [S.I. 2015/1946 reg. 22\(2\)](#)
- Regulations applied (with modifications) by [S.I. 2015/2038 Sch. 7 para. 9](#)
- Regulations applied (with modifications) by [S.I. 2017/752 Sch. 6 para. 13](#)
- Regulations modified (temp.) by [S.I. 2001/2659 art. 7](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

- Blanket amendment words substituted by [S.I. 2011/1043 art. 3-68-10](#)

**Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):**

- Pt. 5 Ch. 1 heading Pt. 5 heading substituted and renumbered as Pt. 5 Ch. 1 by [S.I. 2019/681 reg. 4\(14\)](#)
- Pt. 5 Ch. 2 inserted by [S.I. 2019/681 reg. 4\(17\)](#)
- Pt. 5 Ch. 1 heading words substituted in earlier amending provision [S.I. 2019/681, reg. 4\(14\)](#) by [S.I. 2020/1301 reg. 3Sch. para. 41\(c\)](#)
- Pt. 5 Ch. 2 words substituted in earlier amending provision [S.I. 2019/681, reg. 4\(17\)](#) by [S.I. 2020/1301 reg. 3Sch. para. 41\(e\)](#)
- Pt. 3 heading words substituted by [S.I. 2012/916 reg. 3\(5\)](#)
- Pt. 4 heading words substituted by [S.I. 2012/916 reg. 3\(8\)](#)
- Sch. 1 Pt. 5 inserted by [S.I. 2010/2628 Sch. 2 para. 2\(4\)\(c\)](#)
- Sch. 1 Pt. 6 inserted by [S.I. 2020/1406 reg. 6\(5\)\(b\)](#)
- Sch. 1 Pt. 5 omitted by [S.I. 2019/681 reg. 4\(23\)](#)
- Sch. 1 heading words substituted by [S.I. 2012/916 reg. 3\(12\)](#)
- Sch. 2 heading words substituted by [S.I. 2012/916 reg. 3\(14\)](#)
- Sch. 3(b)(x) word substituted by [S.I. 2013/2329 Sch. para. 34\(c\)\(ii\)](#)

- Sch. 3(b)(x) words omitted by S.I. 2013/2329 Sch. para. 34(c)(i)
- Sch. 3 para. (b)(v) words omitted by S.I. 2014/549 Sch. 1 para. 30(4)(a)
- Sch. 3 para. (b)(vi) words substituted by S.I. 2014/549 Sch. 1 para. 30(4)(b)
- reg. 2(f) words inserted by S.I. 2016/225 reg. 4(2)
- reg. 3(1)(d) inserted by S.I. 2013/472 Sch. 2 para. 47(3)(b)(ii)
- reg. 8(a) word omitted by S.I. 2013/504 reg. 35(3)(a)
- reg. 8(a) words substituted by S.I. 2012/916 reg. 3(6)
- reg. 8(a) words substituted by S.I. 2019/681 reg. 4(7)(a)
- reg. 8(b) word omitted by S.I. 2014/3348 Sch. 3 para. 8(3)(a)
- reg. 8(b) word omitted by S.I. 2019/681 reg. 4(7)(b)(i)
- reg. 8(b) words substituted by S.I. 2019/681 reg. 4(7)(b)(ii)
- reg. 8(b)(i) words substituted by S.I. 2017/701 Sch. 3 para. 4(3)(a)(i)
- reg. 8(b)(ii) words substituted by S.I. 2017/701 Sch. 3 para. 4(3)(a)(ii)
- reg. 8(c) and word inserted by S.I. 2013/504 reg. 35(3)(b)
- reg. 8(c) omitted by S.I. 2019/681 reg. 4(7)(c)
- reg. 8(c) word omitted by S.I. 2016/680 reg. 18(3)(a)
- reg. 8(d) and word inserted by S.I. 2014/3348 Sch. 3 para. 8(3)(b)
- reg. 8(d) word inserted by S.I. 2017/701 Sch. 3 para. 4(3)(b)
- reg. 8(d) word omitted by S.I. 2016/715 Sch. 2 para. 2(3)(a)
- reg. 8(d) word omitted by S.I. 2019/681 reg. 4(7)(d)(i)
- reg. 8(d) word omitted by S.I. 2019/681 reg. 4(7)(d)(ii)
- reg. 8(e) and word inserted by S.I. 2016/680 reg. 18(3)(b)
- reg. 8(e) omitted by S.I. 2017/701 Sch. 3 para. 4(3)(c)
- reg. 8(e) word inserted by S.I. 2016/715 Sch. 2 para. 2(3)(b)
- reg. 8(f) inserted by S.I. 2016/715 Sch. 2 para. 2(3)(c)
- reg. 8(f) omitted by S.I. 2019/681 reg. 4(7)(e)
- art. 9(1) word inserted by S.I. 2013/504 reg. 35(4)(a)
- reg. 9(1A) inserted by S.I. 2013/3115 Sch. 2 para. 55(3)(a)
- reg. 9(1A) words omitted by S.I. 2019/681 reg. 4(8)(b)
- reg. 9(2)(d)(f) omitted by S.I. 2015/575 Sch. 2 para. 12(3)(b)
- reg. 9(2)(f) and word inserted by S.I. 2007/3255 reg. 3(3)(b)
- reg. 9(2A) omitted by S.I. 2019/681 reg. 13(4)(a)
- reg. 9(2A) word omitted by S.I. 2004/3379 reg. 19(3)(b)
- reg. 9(2B) inserted by S.I. 2013/1773 Sch. 2 para. 12(3)(c)
- art. 9(2B)(a) substituted by 2018 c. 12 Sch. 19 para. 278(2)
- reg. 9(2B)(a) word inserted by S.I. 2019/681 reg. 4(8)(d)(i)
- reg. 9(2B)(a) words substituted by S.I. 2019/419 Sch. 3 para. 37(2)
- reg. 9(2B)(b) words substituted by S.I. 2019/681 reg. 4(8)(d)(ii)
- reg. 9(2B)(b)(iii) words substituted in earlier amending provision S.I. 2019/681, reg. 4(8)(d)(ii) by S.I. 2020/1301 reg. 3Sch. para. 41(b)
- reg. 9(2B)(c) omitted by S.I. 2019/681 reg. 4(8)(d)(iii)
- reg. 9(2C) inserted by S.I. 2014/3348 Sch. 3 para. 8(4)(c)
- reg. 9(2C) substituted by S.I. 2019/681 reg. 4(8)(e)
- reg. 9(2D) inserted by S.I. 2016/680 reg. 18(4)(c)
- reg. 9(2D) omitted by S.I. 2017/701 Sch. 3 para. 4(4)(d)
- reg. 9(2ZA) inserted by S.I. 2013/1773 Sch. 2 para. 12(3)(b)
- reg. 9(2ZA) words inserted by S.I. 2019/681 reg. 4(8)(c)(ii)
- reg. 9(2ZA) words substituted by S.I. 2017/701 Sch. 3 para. 4(4)(c)
- reg. 9(2ZA)(b) substituted by S.I. 2013/3115 Sch. 2 para. 55(3)(b)
- reg. 9(2ZA)(e) word omitted by S.I. 2019/681 reg. 4(8)(c)(i)
- reg. 9(3)(b)(v) and word inserted by S.I. 2007/3255 reg. 3(4)(b)
- reg. 9(3)(b)(vi) substituted for reg. 9(3)(b)(iii)(iv)(v) by S.I. 2019/681 reg. 13(4)(b)
- reg. 9(3A)(a) substituted by S.I. 2019/681 reg. 4(8)(g)
- reg. 9(3A)(a) words substituted by S.I. 2017/701 Sch. 3 para. 4(4)(e)
- reg. 9(3A)(a) words substituted by S.I. 2019/681 reg. 13(4)(c)
- reg. 9(3B)(b) omitted by S.I. 2019/681 reg. 4(8)(h)(i)
- reg. 9(3B)(c) word omitted by S.I. 2012/916 reg. 3(7)(a)
- reg. 9(3B)(d) words omitted by S.I. 2019/681 reg. 4(8)(h)(ii)

- reg. 9(3B)(e)(f) inserted by S.I. 2012/916 reg. 3(7)(b)
- reg. 9(3B)(e) omitted by S.I. 2019/681 reg. 4(8)(h)(iii)
- reg. 9(3B)(f) omitted by S.I. 2019/681 reg. 4(8)(h)(iii)
- reg. 9(3C)(3D) inserted by S.I. 2011/1613 reg. 5(3)(c)
- reg. 9(3C) word omitted by S.I. 2019/681 reg. 4(8)(i)(i)
- reg. 9(3C)(a) words substituted by S.I. 2019/681 reg. 4(8)(i)reg. 4(8)(ii)(aa)
- reg. 9(3C)(a) words substituted by S.I. 2019/681 reg. 4(8)(i)reg. 4(8)(ii)(bb)
- reg. 9(3D)(b) words substituted by S.I. 2019/681 reg. 4(8)(j)(i)
- reg. 9(3D)(e) omitted by S.I. 2019/681 reg. 4(8)(j)(ii)
- art. 9(3E) inserted by S.I. 2013/504 reg. 35(4)(b)
- reg. 9(3E) omitted by S.I. 2019/681 reg. 4(8)(k)
- reg. 9(3F) inserted by S.I. 2015/910 Sch. 1 para. 8(3)(b)
- reg. 9(3F) omitted by S.I. 2019/681 reg. 4(8)(k)
- reg. 9(3G) inserted by S.I. 2016/680 reg. 18(4)(d)
- reg. 9(3G) omitted by S.I. 2017/701 Sch. 3 para. 4(4)(f)
- reg. 9(3EA) inserted by S.I. 2016/715 Sch. 2 para. 2(4)(b)
- reg. 9(3EA) omitted by S.I. 2019/681 reg. 4(8)(k)
- reg. 9(4) inserted by S.I. 2010/2628 Sch. 2 para. 2(3)(b)
- reg. 9(4) substituted by S.I. 2013/3115 Sch. 2 para. 55(3)(d)
- reg. 9(4) substituted by S.I. 2019/681 reg. 4(8)(l)
- reg. 9(4) words substituted by S.I. 2013/472 Sch. 2 para. 47(6)(c)
- reg. 9(4A) inserted by S.I. 2020/1406 reg. 6(3)
- reg. 9(5) inserted by S.I. 2014/3348 Sch. 3 para. 8(4)(d)
- reg. 9(5) word omitted by S.I. 2019/681 reg. 4(8)(m)
- art. 9(6) inserted by 2018 c. 12 Sch. 19 para. 278(3)
- reg. 9(6) substituted by S.I. 2019/419 Sch. 3 para. 37(3)
- reg. 10A10B inserted by S.I. 2014/3348 Sch. 3 para. 8(5)
- reg. 10A heading word omitted by S.I. 2019/681 reg. 4(9)
- reg. 10A(1) word omitted by S.I. 2019/681 reg. 4(10)(a)
- reg. 10A(3) word omitted by S.I. 2019/681 reg. 4(10)(b)
- reg. 10B(1) word omitted by S.I. 2019/681 reg. 4(11)(a)
- reg. 10B(2) words substituted by S.I. 2019/681 reg. 4(11)(b)
- reg. 10C inserted by S.I. 2020/1406 reg. 6(4)
- reg. 11(d) word omitted by S.I. 2019/681 reg. 4(13)(b)(i)
- reg. 11(d) words substituted by S.I. 2019/681 reg. 4(13)(b)(ii)
- reg. 11(d)(i) words substituted by S.I. 2017/701 Sch. 3 para. 4(5)(a)(i)
- reg. 11(d)(ii) word inserted by S.I. 2011/1613 reg. 5(4)(a)
- reg. 11(d)(ii) words substituted by S.I. 2017/701 Sch. 3 para. 4(5)(a)(ii)
- reg. 11(e) word omitted by S.I. 2019/681 reg. 4(13)(c)(i)
- reg. 11(e) words substituted by S.I. 2019/681 reg. 4(13)(c)(ii)
- art. 11(f) inserted by S.I. 2013/504 reg. 35(5)
- reg. 11(f) omitted by S.I. 2019/681 reg. 4(13)(d)
- reg. 11(g) inserted by S.I. 2014/3348 Sch. 3 para. 8(6)
- reg. 11(g) word omitted by S.I. 2019/681 reg. 4(13)(e)
- reg. 11(h) inserted by S.I. 2016/680 reg. 18(5)
- reg. 11(h) omitted by S.I. 2017/701 Sch. 3 para. 4(5)(b)
- reg. 11(fa) inserted by S.I. 2016/715 Sch. 2 para. 2(5)
- reg. 11(fa) omitted by S.I. 2019/681 reg. 4(13)(d)
- reg. 12(4) inserted by S.I. 2012/2554 reg. 3(3)
- reg. 12(5) inserted by S.I. 2017/701 Sch. 3 para. 4(6)
- reg. 12(6) inserted by S.I. 2018/135 reg. 56(3)
- reg. 12A added by S.I. 2001/3624 reg. 2(1)(4)
- reg. 12A omitted by S.I. 2013/1635 reg. 12(4)
- reg. 12A word substituted by S.I. 2013/2329 Sch. para. 34(a)
- reg. 12A heading words inserted by S.I. 2019/681 reg. 13(5)
- reg. 12A words substituted by S.I. 2012/725 art. 2(6)
- reg. 12B added by S.I. 2003/1092 reg. 3(c)
- reg. 12B and words inserted by S.I. 2002/1775 reg. 16

- reg. 12B omitted by [S.I. 2019/1361](#) reg. 7 (This S.I. is amended by S.I. 2019/1390, reg. 6)
- reg. 12B words substituted by [S.I. 2013/472](#) Sch. 2 para. 47(7)
- reg 12C added by [S.I. 2003/2174](#) reg 4(c)
- reg. 12C heading words inserted by [S.I. 2019/681](#) reg. 13(6)
- reg 17 added (1.11.2007) by [S.I. 2006/3413](#) reg 7
- reg. 17 words substituted by [S.I. 2019/681](#) reg. 4(16)