
STATUTORY INSTRUMENTS

2017 No. 1301

**The Oversight of Professional Body Anti-Money Laundering
and Counter Terrorist Financing Supervision Regulations 2017**

PART 3

Information and directions

Confidential information

11.—(1) Subject to paragraph (2), confidential information must not be disclosed by any of the following (each a “primary recipient”)—

- (a) the FCA;
- (b) any person who is or has been an officer of the FCA;
- (c) a skilled person;
- (d) any person who is or has been employed by a skilled person,

or by any person obtaining the information directly or indirectly from a primary recipient.

(2) This regulation does not prevent disclosure where the disclosure—

- (a) has the consent of—
 - (i) the person from whom the primary recipient obtained the information; and
 - (ii) if different, the person to whom it relates;
- (b) is made in accordance with regulation 12;
- (c) is made by a skilled person to the FCA (and the FCA is then treated for the purposes of paragraph (1) as a person obtaining the information from a primary recipient); or
- (d) is required by law.

(3) In this regulation, “confidential information” means information which—

- (a) relates to the business or other affairs of any person;
- (b) was received by the primary recipient for the purposes of, or in the discharge of, any functions of the primary recipient under these Regulations; and
- (c) is not prevented from being confidential information by paragraph (4).

(4) Information is not confidential information if—

- (a) it has been made available to the public by virtue of being disclosed in any circumstances in which, or for any purposes for which, disclosure is not precluded by this regulation; or
- (b) it is in the form of a summary or collection of information so framed that it is not possible to ascertain from it information relating to any particular person.