



Borders, Citizenship and Immigration Act 2009

2009 CHAPTER 11

PART 1

BORDER FUNCTIONS

Use and disclosure of information

14 Use and disclosure of customs information

- (1) A person to whom this section applies may—
 - (a) use customs information acquired by that person in connection with a function exercisable by that person for the purpose of any other function exercisable by that person, and
 - (b) disclose customs information to any other person to whom this section applies for the purpose of a function exercisable by that person.
- (2) The persons to whom this section applies are—
 - (a) a designated customs official,
 - (b) an immigration officer,
 - (c) the Secretary of State by whom general customs functions are exercisable,
 - (d) any other Minister of the Crown in the department of that Secretary of State,
 - (e) the Director of Border Revenue, and
 - (f) a person acting on behalf of a person mentioned in paragraphs (a) to (e).
- (3) This section is subject to any provision that restricts or prohibits the use or disclosure of information and that is contained in—
 - (a) this Part,
 - (b) any other enactment, or
 - (c) an international or other agreement to which the United Kingdom or Her Majesty's Government is party.

Changes to legislation: *Borders, Citizenship and Immigration Act 2009, Section 14 is up to date with all changes known to be in force on or before 16 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (4) In subsection (3) the reference to an enactment does not include an enactment contained in, or in an instrument made under—
- (a) an Act of the Scottish Parliament,
 - (b) a Measure or Act of the National Assembly for Wales, or
 - (c) Northern Ireland legislation.
- (5) This section is without prejudice to—
- (a) the use by a person to whom it applies of information other than customs information;
 - (b) the disclosure by or to a person to whom it applies of information other than customs information.
- (6) In this Part—
- “customs function” means a general customs function or a customs revenue function;
 - “customs information” means information acquired or capable of being acquired as a result of the exercise of a customs function;
 - “customs revenue information” means information acquired or capable of being acquired as a result of the exercise of a customs revenue function;
 - “designated customs official” means a general customs official or a customs revenue official.
- (7) It is immaterial for the purposes of subsection (6)—
- (a) whether the information was acquired or is capable of being acquired by the person by whom it is held or another person;
 - (b) whether the information was also acquired or is also capable of being acquired in the exercise of any other function.

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

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

- s. 54A(3A)(3B) inserted by [2023 c. 37 s. 14](#)