

## SCHEDULES

### SCHEDULE 7

#### INFORMATION: RESTRICTIONS ON DISCLOSURE

#### PART 3

#### RESTRICTIONS ON FURTHER DISCLOSURES OF INFORMATION

##### *Information generally*

- 6 (1) If an NCA officer has disclosed information to a person (the “original recipient”), that person must not further disclose the information unless—
- (a) the disclosure is—
    - (i) for a purpose connected with any relevant function of the original recipient, or
    - (ii) otherwise for a permitted purpose, and
  - (b) the Director General consents to the disclosure.
- (2) This paragraph does not apply to a further disclosure of information if—
- (a) paragraph 7 or 8 applies, or
  - (b) the NCA officer’s disclosure to the original recipient was a disclosure—
    - (i) to the Lord Advocate for the purposes of the exercise of the functions of the Lord Advocate under Part 3 of PCA 2002, or
    - (ii) to the Scottish Ministers for the purposes of the exercise of the functions of the Scottish Ministers under, or in relation to, Part 5 of PCA 2002;and for provision about the further disclosure of such information, see section 441 of PCA 2002.
- (3) In this paragraph “relevant function” means any function of the original recipient for the purposes of which the information was disclosed to that recipient.

##### *Information obtained under Part 6 of PCA 2002 & disclosed to Commissioners*

- 7 (1) This paragraph applies to information disclosed by an NCA officer under section 7(7) to the Commissioners.
- (2) The information may be further disclosed by the Commissioners only if the disclosure is—
- (a) for a purpose connected with any relevant function of the Commissioners, or
  - (b) otherwise for a permitted purpose.
- (3) The information may be further disclosed by a person other than the Commissioners only if—

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- (a) the disclosure is—
  - (i) for a purpose connected with any relevant function of the Commissioners, or
  - (ii) otherwise for a permitted purpose, and
- (b) the Director General consents to the disclosure.

(4) In this paragraph “relevant function” means any function of the Commissioners for the purposes of which the information was disclosed.

*Information obtained under Part 6 of PCA 2002 & disclosed to Lord Advocate*

- 8 Information disclosed by an NCA officer under section 7(7) to the Lord Advocate may be further disclosed only if the disclosure is—
- (a) by the Lord Advocate to the Scottish Ministers, and
  - (b) for the purpose of the exercise by the Scottish Ministers of their functions under Part 5 of PCA 2002.