



# Financial Guidance and Claims Act 2018

## 2018 CHAPTER 10

### PART 1

#### FINANCIAL GUIDANCE ETC

##### *Information exchange*

#### **17 Disclosure of information**

- (1) The single financial guidance body may disclose information to the Secretary of State, and the Secretary of State may disclose information to the single financial guidance body, provided that the disclosure (in either case) is for the purpose of enabling or facilitating the exercise of—
  - (a) a function of the single financial guidance body, or
  - (b) a function of the Secretary of State that—
    - (i) relates directly to the single financial guidance body, or
    - (ii) is the same as, or in a similar area to, a function of the single financial guidance body.
- (2) The single financial guidance body may disclose information to a devolved authority, and a devolved authority may disclose information to the single financial guidance body, provided that the disclosure (in either case) is for the purpose of enabling or facilitating—
  - (a) the exercise of a function of the single financial guidance body, or
  - (b) the provision of information and advice on debt to members of the public in Scotland, Wales or Northern Ireland.
- (3) The single financial guidance body may disclose information to the FCA, and the FCA may disclose information to the single financial guidance body, provided that the disclosure (in either case) is for the purpose of enabling or facilitating the exercise of—
  - (a) a function of the single financial guidance body, or
  - (b) a function of the FCA that—
    - (i) relates directly to the single financial guidance body, or

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*Changes to legislation: There are currently no known outstanding effects for the Financial Guidance and Claims Act 2018, Section 17. (See end of Document for details)*

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- (ii) is in a similar area to a function of the single financial guidance body.
- (4) A devolved authority may disclose information to the FCA, and the FCA may disclose information to a devolved authority, provided that the disclosure (in either case) is for the purpose of enabling or facilitating—
- (a) the provision of information and advice on debt to members of the public in Scotland, Wales or Northern Ireland, or
  - (b) the exercise of a function of the FCA that relates to the provision of information or advice on debt.
- (5) The single financial guidance body may disclose information to an SFGB delivery partner, and an SFGB delivery partner may disclose information to the single financial guidance body, provided that the disclosure (in either case) is for the purpose of enabling or facilitating the exercise of a function that the SFGB delivery partner is carrying out on behalf of the single financial guidance body.
- (6) The single financial guidance body must disclose information—
- (a) to the Secretary of State, where requested to do so by the Secretary of State;
  - (b) to the FCA, where—
    - (i) the disclosure is for the purpose of enabling or facilitating the exercise of the consumer protection function, or
    - (ii) the FCA requests information for the purposes of a review under section 10 (monitoring and enforcement of standards).
- (7) A disclosure of information which is authorised or required by this section does not breach—
- (a) an obligation of confidence owed by the person making the disclosure, or
  - (b) any other restriction on the disclosure of the information (however imposed).
- (8) But nothing in this section authorises the making of a disclosure which—
- (a) contravenes the data protection legislation, or
  - (b) is prohibited by any of Parts 1 to 7 or Chapter 1 of Part 9 of the Investigatory Powers Act 2016.

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**Commencement Information**

- I1** S. 17(1)-(3)(6)(a)(7)(8) in force at 1.10.2018 by [S.I. 2018/1029](#), [reg. 2\(k\)](#)
- I2** S. 17(4)(5)(6)(b) in force at 1.1.2019 by [S.I. 2018/1330](#), [reg. 2\(e\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Financial Guidance and Claims Act 2018, Section 17.