
DRAFT STATUTORY INSTRUMENTS

2009 No.

The Overseas Companies Regulations 2009

PART 4

USUAL RESIDENTIAL ADDRESSES: PROTECTION FROM DISCLOSURE

Application to prevent disclosure to credit reference agency

25.—(1) An application may be made to the registrar to prevent the disclosure to a credit reference agency of protected information relating to a director or permanent representative (an “application for higher protection”).

(2) An application for higher protection shall be made and determined in accordance with the provisions of Schedule 3.

(3) The registrar shall refrain from disclosing to a credit reference agency protected information relating to—

- (a) an individual in respect of whom a successful application for higher protection has been made, or
- (b) an individual in respect of whom an application for higher protection has been made where—
 - (i) the registrar has not made a determination, or
 - (ii) the registrar has made a determination rejecting the application and an appeal against that determination has been brought but has not been determined;
- (c) an individual in relation to whom an order was in force under section 723B of the Companies Act 1985⁽¹⁾ (confidentiality orders) immediately before 1st October 2009 and who, by virtue of paragraph 21 of Schedule 8 (transitional provisions and savings: individuals with a confidentiality order) is to be treated as having made a successful application for higher protection.

⁽¹⁾ 1985 c.6. Section 723B was inserted by section 45 of the Criminal Justice and Police Act 2001 (c.16).