

SCHEDULES

SCHEDULE 3

FREEZING ORDERS

Disclosure of information

- 6 (1) A freezing order may include provision requiring a person to disclose information as mentioned below if the following three conditions are satisfied.
- (2) The first condition is that the person required to disclose is specified or falls within a description specified in the order.
- (3) The second condition is that the person required to disclose knows or suspects, or has grounds for knowing or suspecting, that a person specified in the freezing order as a person to whom or for whose benefit funds are not to be made available—
- (a) is a customer of his or has been a customer of his at any time since the freezing order came into force, or
 - (b) is a person with whom he has dealings in the course of his business or has had such dealings at any time since the freezing order came into force.
- (4) The third condition is that the information—
- (a) on which the knowledge or suspicion of the person required to disclose is based, or
 - (b) which gives grounds for his knowledge or suspicion, came to him in the course of a business in the regulated sector.
- (5) The freezing order may require the person required to disclose to make a disclosure to the Treasury of that information as soon as is practicable after it comes to him.
- (6) The freezing order may include—
- (a) provision that Schedule 3A to the Terrorism Act 2000 (c. 11) is to have effect for the purpose of determining what is a business in the regulated sector;
 - (b) provision that the disclosure of information is not to be taken to breach any restriction on the disclosure of information (however imposed);
 - (c) provision restricting the use to which information may be put and the circumstances in which it may be disclosed by the Treasury;
 - (d) provision that the requirement to disclose information does not apply to privileged information;
 - (e) provision that information is privileged if the person would be entitled to refuse to disclose it on grounds of legal professional privilege in proceedings in the High Court or (in Scotland) on grounds of confidentiality of communications in proceedings in the Court of Session;
 - (f) provision that information held with the intention of furthering a criminal purpose is not privileged.

Changes to legislation:

There are currently no known outstanding effects for the Anti-terrorism, Crime and Security Act 2001, Cross Heading: Disclosure of information.