

*These notes refer to the Serious Organised Crime and Police Act 2005 (c.15) which received Royal Assent on 7th April 2005*

# **SERIOUS ORGANISED CRIME AND POLICE ACT 2005**

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## **EXPLANATORY NOTES**

### **THE ACT**

#### *Commentary on Sections*

#### *Schedule 1: The Serious Organised Crime Agency*

#### *Section 34: Disclosure of information to SOCA*

127. [Section 34](#) enables any person to disclose information to SOCA where the aim is to assist SOCA in the pursuit of any of its functions.
128. *Subsection (4)* deals with information provided on behalf of the Commissioners for Her Majesty's Revenue and Customs. For information to be passed to SOCA, the Commissioners, or an authorised officer of Revenue and Customs, must authorise the disclosure. This is to ensure that there are safeguards in place to protect sensitive personal information held by the Commissioners. As in section 33, any disclosure made under this section is not subject to any statutory or other restriction on disclosure, although the provisions of the Data Protection Act and Part 1 of the Regulation of Investigatory Powers Act apply. It is also implicit that the provisions of the Human Rights Act 1998 would need to be taken into account before any disclosure is made to SOCA by a person under section 34.