

## Chapter 4

# Conduct of investigations



4.6 What a subject of investigation can say to third parties

4.6.1

As is explained in the chapter of this guide on publicity (■ chapter 6), the *FCA* will not normally make public the fact that it is or is not investigating a matter and its expectation is that the *person* under investigation will also treat the matter as confidential. However, subject to the restrictions on disclosure of confidential information in section 348 of the *Act*, this does not stop the *person* under investigation from seeking professional advice or making their own enquiries into the matter, from giving their auditors appropriate details of the matter or from making notifications required by law or contract.