



Employment and Training Act 1973

1973 CHAPTER 50

The Manpower Services Commission and the Employment Service and Training Services Agencies

4 Obtaining and disclosure of information by the Commission and Agencies etc.

- (1) The Commission shall be a competent authority for the purposes of the Statistics of Trade Act 1947, and the reference in section 1(1) of that Act to the discharge by government departments of their functions shall include a reference to the discharge by the Commission of its functions.
- (2) Without prejudice to the generality of subsection (1)(b) of the preceding section, the Secretary of State may give directions to the Commission requiring it to furnish to a government department, in a form specified in the directions, any information so specified which has been obtained by the Commission by virtue of the preceding subsection or otherwise.
- (3) Nothing in section 9 of the said Act of 1947 (which restricts the disclosure of information obtained under that Act) shall prevent or penalise—
 - (a) the disclosure by the Secretary of State of relevant information to the Commission or either of the Agencies;
 - (b) the disclosure by the Commission or either of the Agencies of relevant information to a government department;
 - (c) the disclosure by the Commission to either of the Agencies or a board of relevant information which is of a kind specified in a notice in writing given to the Commission and the recipient of the information by the Secretary of State in pursuance of this paragraph;
 - (d) the disclosure by either of the Agencies to the Commission or the other Agency or a board of relevant information which is of a kind specified in a notice in writing given to the disclosing Agency and the recipient of the information by the Secretary of State in pursuance of this paragraph ;
 - (e) the disclosure by the Secretary of State, the Commission or either of the Agencies of relevant information, consisting of the name and address of any establishment, the numbers of persons of different descriptions employed

there and the nature of the activities carried on there, to an officer of any of the following bodies who is authorised by that body to receive the information, namely, a local education authority, a local planning authority within the meaning of the Town and Country Planning Act 1971 or the Town and Country Planning (Scotland) Act 1972 and a development corporation within the meaning of the New Towns Act 1965 or the New Towns (Scotland) Act 1968;

- (f) the disclosure by the Secretary of State, to a person to whom a notice in writing is given in pursuance of this paragraph by the Secretary of State and the Commission acting jointly, of statistics compiled wholly or partly from relevant information about the numbers of persons employed in any activity or area.

- (4) In the preceding subsection—

" a board " means an industrial training board within the meaning of the Industrial Training Act 1964; and

" relevant information " means information obtained under the said Act of 1947 ;

and any reference in that subsection to the Secretary of State, a government department, the Commission, either of the Agencies or such a board includes respectively a reference to an officer of his or of that body and also, in the case of a reference to such a board, a reference to any committee appointed by the board, to any officer of such a committee and to any person entitled to take part in proceedings of the board.

- (5) A person to whom information is disclosed in pursuance of subsection (3) of this section shall not use the information for a purpose other than—

- (a) in a case falling within paragraph (a) of that subsection, a purpose of the Commission or, as the case may be, of the Agency in question ;
- (b) in a case falling within paragraph (b) of that subsection, a purpose of the government department in question ;
- (c) in a case falling within paragraph (c), (d) or (f) of that subsection, a purpose specified in the notice given with respect to the information in pursuance of that paragraph;
- (d) in the case of information given to an officer of a local education authority or a local planning authority, the purposes of the functions conferred on the authority by section 8 of this Act or, as the case may be, by Part II of the said Act of 1971 or 1972 (which relate to development plans);
- (e) in the case of information given to an officer of a development corporation, the purposes of functions conferred on the corporation by section 3 of the said Act of 1965 or 1968 (which relate to the laying out and development of new towns);

and a person who contravenes the provisions of this subsection shall be guilty of an offence and liable on summary conviction to a fine of an amount not exceeding £400.

- (6) Any reference to an officer of the Department of Employment in section 58 of the Finance Act 1969 (which provides for the disclosure by the Board of Inland Revenue, subject to the safeguards provided by that section, of names and addresses and other information in connection with the statistical surveys there mentioned) shall include a reference to an officer of the Commission and an officer of either of the Agencies ; and in subsection (4)(a) of that section for the word " another" there shall be substituted the word " an ".