Groceries Code Adjudicator Act 2013

2013 CHAPTER 19

How does the Adjudicator handle information?

18 Confidentiality

(1) The Adjudicator may not make an unauthorised disclosure of information relating to an arbitration under the Groceries Supply Order or under a supply agreement if—

(a) the information identifies a party to the arbitration; or

(b) the Adjudicator thinks that the identity of a party to the arbitration could be deduced from it.

(2) The Adjudicator may not make an unauthorised disclosure of information that the Adjudicator thinks might cause someone to think that a particular person has complained about a large retailer failing to comply with the Groceries Code.

(3) For the purposes of this section a disclosure of information is unauthorised unless—

(a) the Adjudicator has obtained the required consent;

(b) the disclosure is required for the purpose of an EU obligation; or

(c) the disclosure is required, under rules of court or a court order, for the purposes of legal proceedings of any description.

(4) The required consent is—

(a) in the case of information to which subsection (1) applies, the consent of the parties to the arbitration;

(b) in the case of information to which subsection (2) applies, the consent of the person.

(5) The prohibitions contained in this section are in addition to any that apply by virtue of Part 9 of the Enterprise Act 2002.