
STATUTORY INSTRUMENTS

1994 No. 426

The Airports (Northern Ireland) Order 1994

PART IV

ECONOMIC REGULATION OF AIRPORTS

Supplementary

Restriction on disclosure of information

49.—(1) Subject to the following provisions of this Article, no information with respect to any particular business which has been obtained under the provisions of this Part shall, so long as the business continues to be carried on, be disclosed without the consent of the person for the time being carrying it on.

(2) Paragraph (1) does not apply to any disclosure of information which is made—

- (a) for the purpose of facilitating the performance of any functions under this Order or any of the statutory provisions specified in paragraph (3) of any Minister of the Crown, any Northern Ireland department, the head of any such department, the CAA, the Commission,^[F1] the Office of Fair Trading], the Director General of Water Services, the Director General of Electricity Supply, the Director General of Electricity Supply for Northern Ireland^[F2], the Director General of Gas for Northern Ireland] or a district council;
- (b) in connection with the investigation of any criminal offence or for the purposes of any criminal proceedings;
- (c) for the purposes of any civil proceedings brought under this Part or any of the statutory provisions specified in paragraph (3);
- (d) in pursuance of any Community obligation.

(3) The statutory provisions referred to in paragraph (2) are—

- (a) the Trade Descriptions Act 1968^{F3};
- (b) the 1973 Act;
- (c) the Consumer Credit Act 1974^{F4};

Sub#paras. (d)(e) rep. by SI 2000/311

- (f) the Estate Agents Act 1979^{F5};
- (g) the 1980 Act;
- (h) the 1982 Act and any Order in Council made under section 60 of that Act (Air Navigation Orders);
- (i) the Airports Act 1986^{F6};
- (j) the Consumer Protection Act 1987^{F7};
- (k) the Consumer Protection (Northern Ireland) Order 1987^{F8};

Status: Point in time view as at 20/07/2007. This version of this provision has been superseded.

Changes to legislation: The Airports (Northern Ireland) Order 1994, Section 49 is up to date with all changes known to be in force on or before 28 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (l) the Control of Misleading Advertisements Regulations 1988^{F9};
- (m) the Electricity Act 1989^{F10};
- (n) the Water Industry Act 1991^{F11};
- (o) the Water Resources Act 1991^{F12};
- (p) the Electricity (Northern Ireland) Order 1992^{F13}.
- [^{F2}(q) the Gas (Northern Ireland) Order 1996.]
- (r) ^{F14}
- [^{F15}(s) the Competition Act 1998.]
- [^{F16}(t) the Enterprise Act 2002]
- [^{F17}(u) the Water and Sewerage Services (Northern Ireland) Order 2006.]
- (4) Nothing in paragraph (1) shall be construed—
 - (a) as limiting the matters which may be included in, or made public as part of, a report of the Commission under Article 36; or
 - (b) as applying to any information which has been made public as part of such a report.
- (5) Any person who discloses any information in contravention of this Article shall be guilty of an offence and liable—
 - (a) on summary conviction, to a fine not exceeding the statutory maximum;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine, or to both.

F1	2002 c. 40
F2	1996 NI 2
F3	1968 c.29
F4	1974 c.39
F5	1979 c.38
F6	1986 c.31
F7	1987 c.43
F8	1987 NI 20
F9	SI 1988/915
F10	1989 c.29
F11	1991 c.56
F12	1991 c.57
F13	1992 NI 1
F14	Art. 49(3)(r) revoked (20.7.2007) by The EC Competition Law (Articles 84 and 85) Enforcement (Revocation) Regulations 2007 (S.I. 2007/1846), reg. 3(1), Sch.
F15	SI 1999/506
F16	2002 c. 40
F17	Art. 49(3)(u) added (1.4.2007) by Water and Sewerage Services (Northern Ireland) Order 2006 (S.I. 2006/3336 (N.I. 21)), arts. 1(2), 308(1), Sch. 12 para. 34 (with arts. 8(8), 121(3), 307); S.R. 2007/194, art. 2(2) , Sch. 1 Pt. II (with art. 3, Sch. 2)

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