
STATUTORY INSTRUMENTS

2002 No. 3154

The Housing Support Services (Northern Ireland) Order 2002

Unauthorised disclosure of information

- 7.—(1) The persons to whom this Article applies are—
- (a) any person (“the recipient”) to whom information is supplied by virtue of Article 6,
 - (b) any person who is or has been a director, member of the committee of management, manager, secretary or other similar officer of the recipient, and
 - (c) any person who is or has been employed by the recipient.
- (2) A person to whom this Article applies is guilty of an offence if he discloses without lawful authority any information which is supplied by virtue of Article 6 and which relates to a particular person.
- (3) It is not an offence under this Article—
- (a) to disclose information in the form of a summary or collection of information so framed as not to enable information relating to any particular person to be ascertained from it, or
 - (b) to disclose information which has previously been disclosed to the public with lawful authority.
- (4) It is a defence for a person charged with an offence under this Article to prove that at the time of the alleged offence—
- (a) he believed that he was making the disclosure in question with lawful authority and had no reasonable cause to believe otherwise, or
 - (b) he believed that the information in question had previously been disclosed to the public with lawful authority and had no reasonable cause to believe otherwise.
- (5) A person guilty of an offence under this Article is to be liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding 2 years or a fine or both, or
 - (b) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both.
- (6) For the purposes of this Article a disclosure is to be regarded as made with lawful authority if, and only if, it is made—
- (a) in accordance with Article 6(3) or any other statutory provision,
 - (b) in accordance with an order of a court,
 - (c) for the purpose of instituting, or otherwise for the purposes of, any proceedings before a court or tribunal, or
 - (d) with the consent of the appropriate person (as defined in section 117(10) of the Social Security Administration (Northern Ireland) Act 1992 (c. 8)).