



Police (Northern Ireland) Act 2003

2003 CHAPTER 6

PART 1

POLICING

Information and inquiries

27 Restriction on disclosure of information

(1) After section 74 of the Police (Northern Ireland) Act 2000 (c. 32) insert—

“74A Restriction on disclosure of information

- (1) This section applies if information is supplied in the circumstances mentioned in subsection (2), (3), (4) or (5).
- (2) The circumstances are that—
- (a) the information is supplied by the Chief Constable to a person conducting an inquiry under section 60;
 - (b) the person has been appointed under section 60(9) to conduct the inquiry;
 - (c) the Chief Constable informs the person that, in his opinion, the information is information of a kind mentioned in section 60(10A) (a) or (b).
- (3) The circumstances are that—
- (a) the information is supplied by the Chief Constable under section 33A to the Board;
 - (b) the Chief Constable informs the Board that, in his opinion, the information is information of a kind mentioned in section 33A(3)(a) or (b).
- (4) The circumstances are that—

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- (a) the information is supplied by the Chief Constable under section 59 to the Board or a special purposes committee;
 - (b) the Chief Constable informs the Board or the committee that, in his opinion, the information is information of a kind mentioned in section 59(4C)(a) or (b).
- (5) The circumstances are that—
 - (a) the information is supplied by a person conducting an inquiry under section 60 or by a person who is assisting or has assisted in the conduct of such an inquiry to a special purposes committee;
 - (b) the information was supplied to the person conducting the inquiry in the circumstances mentioned in subsection (2).
- (6) If information is supplied in the circumstances mentioned in subsection (2), the information must not be disclosed by the person who is conducting or has conducted the inquiry or by a person who is assisting or has assisted in the conduct of the inquiry except—
 - (a) to a person who is assisting in the conduct of the inquiry;
 - (b) to the Secretary of State;
 - (c) to the Chief Constable;
 - (d) to the Ombudsman, or an officer of the Ombudsman, in connection with any function of the Ombudsman;
 - (e) to a special purposes committee;
 - (f) for the purposes of any criminal, civil or disciplinary proceedings;
 - (g) in the form of a summary or other general statement made by the person the terms of which have been agreed with the Chief Constable.
- (7) If information is supplied in the circumstances mentioned in subsection (3), (4) or (5), the information must not be disclosed by a person who is or has been a member of the Board or a member of the staff of the Board except—
 - (a) in the case of information supplied to the Board, to a member of the Board or a member of the staff of the Board;
 - (b) in the case of information supplied to a special purposes committee, to a member of the committee or a member of the staff of the Board who provides services to the committee;
 - (c) to the Secretary of State;
 - (d) to the Chief Constable;
 - (e) to the Ombudsman, or an officer of the Ombudsman, in connection with any function of the Ombudsman;
 - (f) for the purposes of any criminal, civil or disciplinary proceedings;
 - (g) in the form of a summary or other general statement made by the Board the terms of which have been agreed with the Chief Constable.
- (8) Any person who discloses information in contravention of this section shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (9) In this section—
 - “member of the staff of the Board” means—
 - (a) a person employed by the Board under paragraph 13(1) of Schedule 1;

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(b) a person employed in the civil service who provides assistance for the Board in pursuance of arrangements made under paragraph 13(2) of Schedule 1; and
“officer of the Ombudsman” has the meaning given by section 50(1) of the 1998 Act.”

(2) In section 59(5) of the Police (Northern Ireland) Act 2000 (c. 32) at the beginning insert “ Subject to section 74A(7) ”

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 30(1)(d) added by [S.I. 2007/912 \(N.I.\) art. 6\(1\)](#)
- s. 30(1)(d) repealed by [2009 c. 26 Sch. 7 para. 126\(2\)\(a\) Sch. 8 Pt. 13](#)
- s. 30(6)(d) inserted by [S.I. 2007/912 \(N.I.\) Sch. 4 para. 3](#)
- s. 30(6)(d) repealed by [2009 c. 26 Sch. 7 para. 126\(2\)\(b\) Sch. 8 Pt. 13](#)
- s. 30(11) added by [S.I. 2007/912 \(N.I.\) Sch. 4 para. 4](#)
- s. 30(11) repealed by [2009 c. 26 Sch. 7 para. 126\(2\)\(c\) Sch. 8 Pt. 13](#)
- Sch. 2 Pt. 3A repealed by [2009 c. 26 Sch. 7 para. 126\(3\) Sch. 8 Pt. 13](#)
- Sch. 2A para. 17A inserted by [2019 c. 17 s. 12\(6\)](#)
- Sch. 4 Pt. 3A inserted by [S.I. 2007/912 \(N.I.\) Sch. 4 para. 5](#)