



Health Act 2006

2006 CHAPTER 28

PART 4

THE NATIONAL HEALTH SERVICE

CHAPTER 3

PROTECTION OF NHS FROM FRAUD AND OTHER UNLAWFUL ACTIVITIES

Disclosure notices

50 Disclosure of information

- (1) This section applies to information which—
 - (a) is held by or on behalf of the appropriate national authority, and
 - (b) was obtained by virtue of section 46 or 47.
- (2) The information must not be disclosed except in accordance with subsection (3).
- (3) A disclosure is made in accordance with this subsection if it is made—
 - (a) for the purposes of the exercise of any of the appropriate national authority's functions in relation to the health service in England or (as the case may be) Wales,
 - (b) for the purposes of any civil proceedings brought in the exercise of any of those functions,
 - (c) for the purposes of any criminal investigation or proceedings,
 - (d) for the purposes of any relevant disciplinary proceedings, or
 - (e) in accordance with an enactment or order of a court or tribunal.
- (4) In subsection (3)—
 - (a) paragraphs (a) and (b) apply whether or not the appropriate national authority concerned is the one mentioned in subsection (1), and

Status: This is the original version (as it was originally enacted).

- (b) “relevant disciplinary proceedings” means disciplinary proceedings conducted in relation to an individual by—
 - (i) an NHS body, statutory health body or health service provider, or
 - (ii) any of the regulatory bodies mentioned in section 25(3) of the National Health Service Reform and Health Care Professions Act 2002 (c. 17) (bodies within remit of Council for the Regulation of Health Care Professionals).
- (5) Where information to which this section applies is disclosed to any person in accordance with subsection (3), the information must not be used or further disclosed except—
 - (a) for a purpose connected with the functions, investigation or proceedings for the purposes of which it was so disclosed, or
 - (b) in accordance with an enactment or order of a court or tribunal.
- (6) Information to which this section applies may be disclosed in accordance with subsection (3) despite any obligation of confidence that would otherwise prohibit or restrict the disclosure.
- (7) This section does not prohibit any disclosure or use of information relating to a particular person if it is made with the consent of that person.