



## 2011 CHAPTER 1

### *Formal investigations*

#### **Disclosure of information by Commissioner**

**20.**—(1) Information obtained by the Commissioner or the Commissioner's officers in the course of, or for the purposes of, a formal investigation must not be disclosed except as permitted by subsection (2) or for the purposes of—

- (a) the investigation and any report to be made thereon under this Act;
- (b) any civil proceedings or proceedings for a criminal offence;
- (c) an inquiry with a view to the taking of proceedings for a criminal offence;  
or
- (d) any proceedings under section 19.

(2) Where information is to the effect that any person ("the subject") is likely to constitute a threat to the health or safety of any other person ("the person at risk"), the Commissioner may disclose that information to any person to whom the Commissioner thinks it should be disclosed in the interests of the health or safety of the person at risk.

(3) If the Commissioner discloses information as permitted by subsection (2), the Commissioner must—

- (a) where the Commissioner knows the identity of the subject, inform the subject—
  - (i) that the Commissioner has disclosed the information; and
  - (ii) of the identity of any person to whom the Commissioner has disclosed it; and
- (b) inform the person from whom the information was obtained that the Commissioner has disclosed it.