



2016 CHAPTER 22

**PART 5**

Supplementary

*Information*

**Unauthorised disclosure of information obtained under section 73 or 74**

**76.—(1)** An employee of a council commits an offence if the employee discloses without lawful authority any information—

- (a) which the employee acquired in the course of his or her employment,
- (b) which is, or is derived from, information provided to the council under section 73 or 74, and
- (c) which relates to particular living accommodation or a particular person.

(2) It is not an offence under this section to disclose information which has previously been disclosed to the public with lawful authority.

(3) It is a defence for a person charged with an offence under this section to show that, at the time of the alleged offence, the person believed—

- (a) that the disclosure in question was being made with lawful authority and had no reasonable cause to believe otherwise, or
- (b) that the information in question had previously been disclosed to the public with lawful authority and had no reasonable cause to believe otherwise.

(4) For these purposes a disclosure of information is made with lawful authority if, and only if, it is made—

- (a) by an employee of the council in accordance with the employee's official duties,

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**Changes to legislation:** There are currently no known outstanding effects for the Houses in Multiple Occupation Act (Northern Ireland) 2016, Section 76. (See end of Document for details)

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- (b) in accordance with any statutory provision or order of a court,
  - (c) for the purposes of any criminal proceedings, or
  - (d) with the consent of the person to whom the information relates.
- (5) A person guilty of an offence under this section is 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 2 years or to a fine or to both.

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**Commencement Information**

- II** S. 76 in operation at 1.4.2019 by S.R. 2019/39, art. 2 (with art. 3)

**Changes to legislation:**

There are currently no known outstanding effects for the Houses in Multiple Occupation Act (Northern Ireland) 2016, Section 76.