
STATUTORY RULES OF NORTHERN IRELAND

2013 No. 160

The Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013

PART 8

MISCELLANEOUS AND SUPPLEMENTAL PROVISIONS

Disclosure of information

43.—(1) Notwithstanding any prohibition or restriction imposed by or under any statutory provision or rule of law, information of any description may be disclosed—

(a) by the Department to any enforcing authority; or

(b) by any enforcing authority to the Department or any other enforcing authority,

for the purpose of facilitating the carrying out by the Department or by any enforcing authority of any of their functions under these Regulations; and no person shall be subject to any civil or criminal liability in consequence of any disclosure made by virtue of this paragraph.

(2) Nothing in this regulation shall authorise the disclosure of information, disclosure of which would, in the opinion of the Secretary of State, be contrary to the interests of national security.

(3) No information disclosed to any person under this regulation shall be disclosed by that person to any other person otherwise than in accordance with the provisions of this regulation, or any other statutory provision which authorises or requires the disclosure, if that information is information—

(a) which relates to a trade secret of any person or which otherwise is or might be commercially confidential in relation to any person; or

(b) whose disclosure otherwise than under this regulation would, in the opinion of the Secretary of State, be contrary to the interests of national security.

(4) Any authorisation by or under this regulation of the disclosure of information by or to any person shall also be taken to authorise the disclosure of that information by or to any officer of the Secretary of State, who is authorised by that person to make the disclosure or to receive the information.

(5) Information is for the purposes of this regulation commercially confidential in relation to any person if its disclosure would prejudice to an unreasonable degree the commercial interests of that person.