



Sewerage (Scotland) Act 1968

1968 CHAPTER 47

PART III

MISCELLANEOUS AND GENERAL

50 Restriction on disclosure of information.

- (1) If any person who, in compliance with any of the provisions of this Act or with a warrant issued thereunder, is admitted to any land or premises makes use of or discloses to any person any information obtained by him there with regard to any manufacturing process or trade secret, he shall, unless such use or disclosure was made in the performance of his duty, be guilty of an offence under this section.
- (2) If any person discloses any information which has been furnished to him under this Act, he shall be guilty of an offence under this section, unless the disclosure is made—
 - (a) with the consent of the person by whom the information was furnished; or
 - [^{F1}(aa) in prescribed circumstances or for prescribed purposes; or]
 - (b) in connection with the execution of this Act; or
 - (c) for the purposes of any proceedings arising out of this Act, or of any criminal proceedings whether so arising or not, or for the purpose of any report of any such proceedings.
- (3) A person guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding [^{F2}level 5 on the standard scale].
- [^{F3}(4) In paragraph (aa) of subsection (2) above, “ prescribed ” means prescribed by the Secretary of State by regulations made under this subsection by statutory instrument.
- (5) An instrument containing regulations under subsection (4) above shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (6) Subsections (1) and (2) above are subject to regulation 3(7) of the Environmental Information Regulations 1992 (which disappplies restrictions on disclosure if in pursuance of the ^{M1} regulations).]

Changes to legislation: Sewerage (Scotland) Act 1968, Section 50 is up to date with all changes known to be in force on or before 20 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

- F1** S. 50(2)(aa) inserted (4.1.1995) by 1994 c. 39, s. 104(a) (with s. 74(4)); S.I. 1994/2850, art. 3(c)(vi) (with art. 4)
- F2** Words substituted by virtue of Criminal Justice Act 1982 (c. 48, SIF 39:1), s. 56, Sch. 6 para. 43 and by 1995 c. 40, ss. 3, 7(2), Sch. 1 para. 10, Sch. 2 Pt. III it is provided (1.4.1996) that s. 50(3) shall have effect as if the maximum fine that may be imposed on summary conviction for the offence mentioned therein were a fine not exceeding level 5 on the standard scale instead of a fine not exceeding £100
- F3** S. 50(4)(5)(6) added (4.1.1995) by 1994 c. 39, s. 104(b) (with s. 74(4)); S.I. 1994/2850, art. 3(c)(vi) (with art. 4)

Marginal Citations

- M1** S.I. 1992/3240.

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. 3A(3) inserted by [2003 asp 3 s. 30\(1\)](#)
- s. 8(1A) inserted by [2003 asp 3 s. 30\(2\)\(a\)](#)
- s. 12(2A) inserted by [2003 asp 3 s. 30\(3\)](#)
- s. 14A-14C inserted by [2003 asp 3 s. 30\(4\)](#)
- s. 16A(3) inserted by [2003 asp 3 s. 30\(5\)](#)
- s. 29A(3)(b)(c) substituted for s. 29A(3)(b) by [2014 asp 3 sch. 3 para. 1\(2\)\(b\)](#)