



# Estate Agents Act 1979

## 1979 CHAPTER 38

### *Information, entry and inspection*

#### **10 Restriction on disclosure of information**

- (1) Subject to subsections (3) to (5) below, no information obtained under or by virtue of this Act about any individual shall be disclosed without his consent.
- (2) Subject to subsections (3) to (5) below, no information obtained under or by virtue of this Act about any business shall be disclosed except, so long as the business continues to be carried on, with the consent of the person for the time being carrying it on.
- (3) Subsections (1) and (2) above do not apply to any disclosure of information made—
  - (a) for the purpose of facilitating the performance of any functions under this Act, the Trade Descriptions Act 1968, the Fair Trading Act 1973, the Consumer Credit Act 1974 or the Restrictive Trade Practices Act 1976 of any Minister of the Crown, any Northern Ireland department, the Director or a local weights and measures authority in Great Britain, or
  - (b) in connection with the investigation of any criminal offence or for the purposes of any criminal proceedings, or
  - (c) for the purposes of any civil proceedings brought under or by virtue of this Act or any of the other enactments specified in paragraph (a) above.
- (4) For the purpose of enabling the Director to use, in connection with his functions under this Act, information obtained by him in the exercise of functions under certain other enactments, the following amendments shall be made in provisions restricting disclosure of information, namely,—
  - (a) at the end of paragraph (a) of subsection (2) of section 133 of the Fair Trading Act 1973 there shall be added the words " the Estate Agents Act 1979, or ";
  - (b) in paragraph (a) of subsection (3) of section 174 of the Consumer Credit Act 1974 after the words " Fair Trading Act 1973 " there shall be added the words " or the Estate Agents Act 1979 "; and
  - (c) at the end of paragraph (a) of subsection (1) of section 41 of the Restrictive Trade Practices Act 1976 there shall be added the words " or the Estate Agents Act 1979 ".

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*Status: This is the original version (as it was originally enacted).*

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- (5) Nothing in subsections (1) and (2) above shall be construed—
- (a) as limiting the particulars which may be entered in the register; or
  - (b) as applying to any information which has been made public as part of the register.
- (6) Any person who discloses information in contravention of this section shall be liable on summary conviction to a fine not exceeding the statutory maximum and, on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or both.