



# Petroleum Act 1998

## 1998 CHAPTER 17

### PART I

#### PETROLEUM

##### **[<sup>F1</sup>5B Information**

- (1) The Commissioners for Her Majesty's Revenue and Customs may disclose to [<sup>F2</sup>the appropriate [<sup>F3</sup>authority]] information relating to the transfer of a right granted by a licence under section 2 of the Petroleum (Production) Act 1934 or section 3 above, or derived from a right so granted, for the purpose of enabling [<sup>F2</sup>the appropriate [<sup>F3</sup>authority]] to determine whether a transfer to which section 5A applies has taken place.
- (2) This section applies despite any statutory or other restriction on the disclosure of information.
- (3) Information disclosed under this section must not be further disclosed except—
  - (a) for the purpose mentioned in subsection (1), with the consent (which may be general or specific) of the Commissioners,
  - (b) in pursuance of an order of a court, or
  - (c) with the consent of each person to whom the information relates.
- (4) A person who discloses information contrary to subsection (3) commits an offence if the identity of the person to whom the information relates—
  - (a) is specified in the disclosure, or
  - (b) can be deduced from it.
- (5) It is a defence for a person charged with an offence under this section to prove that the person reasonably believed that—
  - (a) the disclosure was lawful, or
  - (b) the information had already and lawfully been made available to the public.
- (6) A person guilty of an offence under this section is liable—

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*Changes to legislation: There are currently no known outstanding effects for the Petroleum Act 1998, Section 5B. (See end of Document for details)*

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- (a) on summary conviction, to imprisonment for a term not exceeding [<sup>F4</sup>the general limit in a magistrates' court] or to a fine not exceeding the statutory maximum, or both, and
- (b) on conviction on indictment, to imprisonment for a term not exceeding 2 years or to a fine, or both.]

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#### **Textual Amendments**

- F1** Ss. 5A-5C inserted (26.1.2009) by [Energy Act 2008 \(c. 32\)](#), **ss. 76**, 110(2); S.I. 2009/45, art. 2(c)(i)
- F2** Words in s. 5B(1) substituted (9.2.2018) by [Scotland Act 2016 \(c. 11\)](#), **ss. 48(13)**, 72(4)(c); S.I. 2018/163, reg. 2(b)
- F3** Word in s. 5B(1) substituted (9.2.2018) by [The Petroleum \(Transfer of Functions\) Regulations 2016 \(S.I. 2016/898\)](#), regs. 1(3), **3(6)** (with reg. 2); S.I. 2018/163, reg. 2(b)
- F4** Words in s. 5B(6)(a) substituted (7.2.2023 at 12.00 p.m.) by [The Judicial Review and Courts Act 2022 \(Magistrates' Court Sentencing Powers\) Regulations 2023 \(S.I. 2023/149\)](#), regs. 1(2), 2(1), **Sch. Pt. 1**

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#### **Modifications etc. (not altering text)**

- C1** [S. 5B](#) modified (temp.) (1.10.2016) by [The Petroleum \(Transfer of Functions\) Regulations 2016 \(S.I. 2016/898\)](#), regs. 1(2), 2

**Changes to legislation:**

There are currently no known outstanding effects for the Petroleum Act 1998, Section 5B.