

Status: Point in time view as at 26/03/2001.

Changes to legislation: Postal Services Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 28 May 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)

SCHEDULES

SCHEDULE 7

Section 119.

DISCLOSURE OF INFORMATION

Prohibition on disclosure

- 1 (1) This Schedule applies to information if—
 - (a) it was obtained by virtue of this Act (other than section 62 or 118), and
 - (b) it relates to the affairs of an individual or to a particular business.
- (2) The information shall not be disclosed during the lifetime of the individual or so long as the business is carried on, except as provided below.

Disclosure with consent

- 2 Paragraph 1(2) does not apply to a disclosure made with the consent of the individual or the person for the time being carrying on the business.

Other permitted disclosures

- 3 (1) Paragraph 1(2) does not apply to a disclosure made—
 - (a) for the purpose of facilitating the carrying out by the Secretary of State, the Treasury, the Commission, the Competition Commission or the Council of any of his or their functions under this Act,
 - (b) for the purpose of facilitating the carrying out by a person or body mentioned in sub-paragraph (2) of any of his or its functions under an enactment or instrument specified in sub-paragraph (3),
 - (c) for the purpose of enabling or assisting the Secretary of State, the Treasury, the Department for Enterprise, Trade and Investment in Northern Ireland or the Department of Finance and Personnel in Northern Ireland to exercise any powers conferred by the ^{M1}Financial Services Act 1986 or by the enactments relating to companies, insurance companies or insolvency,
 - (d) for the purpose of enabling or assisting an inspector appointed under the enactments relating to companies to carry out his functions,
 - (e) for the purpose of enabling or assisting an official receiver to carry out his functions under the enactments relating to insolvency or for the purpose of enabling or assisting a recognised professional body for the purposes of section 391 of the ^{M2}Insolvency Act 1986 or Article 350 of the ^{M3}Insolvency (Northern Ireland) Order 1989 to carry out its functions,
 - (f) for the purpose of facilitating the carrying out by the Health and Safety Commission or the Health and Safety Executive of any of its functions under any enactment or of facilitating the carrying out by any enforcing authority (within the meaning of Part I of the ^{M4}Health and Safety at Work

Status: Point in time view as at 26/03/2001.

Changes to legislation: Postal Services Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 28 May 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)

etc. Act 1974) of any functions under a relevant statutory provision (within the meaning of that Act),

- (g) for the purpose of facilitating the carrying out by the Health and Safety Executive for Northern Ireland of any of its functions under any enactment or of facilitating the carrying out by any enforcing authority (within the meaning of Part I of the ^{M5}Health and Safety at Work (Northern Ireland) Order 1978) of any function under a relevant statutory provision (within the meaning of that Order),
- (h) for the purpose of facilitating the carrying out by the Comptroller and Auditor General, or the Comptroller and Auditor General for Northern Ireland, of any of his functions under any enactment,
- (i) in connection with the investigation of any criminal offence or for the purposes of any criminal proceedings,
- (j) for the purposes of any civil proceedings brought by virtue of this Act or any enactment or instrument specified in sub-paragraph (3),
- (k) in pursuance of a Community obligation,
- (l) by the Secretary of State, or with his consent, to an international organisation of which the United Kingdom is a member,
- (m) in connection with negotiations conducted by officers of the Secretary of State with representatives of the government of a country or territory outside the United Kingdom,
- (n) in connection with the discharge of an obligation of the United Kingdom under international arrangements.

(2) The persons and bodies are—

- (a) any Minister of the Crown,
- (b) any Northern Ireland department,
- (c) any Northern Ireland Minister,
- (d) the Director General of Fair Trading,
- (e) the Competition Commission,
- (f) the Director General of Telecommunications,
- (g) the Independent Television Commission,
- (h) the Director General of Gas Supply,
- (i) the Director General of Gas for Northern Ireland,
- (j) the Director General of Water Services,
- (k) the Water Appeals Commission for Northern Ireland,
- (l) the Director General of Electricity Supply,
- (m) the Director General of Electricity Supply for Northern Ireland,
- (n) the Coal Authority,
- (o) the Civil Aviation Authority,
- (p) the Rail Regulator,
- (q) the Insolvency Practitioners Tribunal,
- (r) a local weights and measures authority in Great Britain.

(3) The enactments and instruments are—

- (a) the ^{M6}Trade Descriptions Act 1968,
- (b) the ^{M7}Fair Trading Act 1973,
- (c) the ^{M8}Consumer Credit Act 1974,

Status: Point in time view as at 26/03/2001.

Changes to legislation: Postal Services Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 28 May 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)

- (d) the ^{M9}Estate Agents Act 1979,
- (e) the ^{M10}Competition Act 1980,
- (f) the ^{M11}Telecommunications Act 1984,
- (g) the ^{M12}Airports Act 1986,
- (h) the ^{M13}Gas Act 1986,
- (i) the ^{M14}Insolvency Act 1986,
- (j) the ^{M15}Consumer Protection Act 1987,
- (k) the ^{M16}Electricity Act 1989,
- (l) the ^{M17}Broadcasting Act 1990,
- (m) the ^{M18}Property Misdescriptions Act 1991,
- (n) the ^{M19}Water Industry Act 1991,
- (o) the ^{M20}Water Resources Act 1991,
- (p) the ^{M21}Railways Act 1993,
- (q) the ^{M22}Coal Industry Act 1994,
- (r) the ^{M23}Broadcasting Act 1996,
- (s) the ^{M24}Competition Act 1998,
- (t) the ^{M25}Water and Sewerage Services (Northern Ireland) Order 1973,
- (u) the ^{M26}Audit (Northern Ireland) Order 1987,
- (v) the ^{M27}Consumer Protection (Northern Ireland) Order 1987,
- (w) the ^{M28}Insolvency (Northern Ireland) Order 1989,
- (x) the ^{M29}Electricity (Northern Ireland) Order 1992,
- (y) Part IV of the ^{M30}Airports (Northern Ireland) Order 1994,
- (z) the ^{M31}Gas (Northern Ireland) Order 1996,
- (aa) the ^{M32}EC Competition Law (Articles 88 and 89) Enforcement Regulations 1996,
- (bb) the ^{M33}Water (Northern Ireland) Order 1999,
- (cc) any subordinate legislation made for the purpose of securing compliance with the Directive of the Council of the European Communities dated 10th September 1984 (No.84/450/EEC) on the approximation of the laws, regulations and administrative provisions of the member States concerning misleading advertising.

Commencement Information

- II** Sch. 7 para. 3 wholly in force; Sch. 7 para. 3 not in force at Royal Assent see s. 130; Sch. 7 para. 3(1)(b)-(n)(2)(3) in force and Sch. 7 para. 3(1)(a) in force for specified purposes at 6.11.2000 and Sch. 7 para. 3(1)(a) in force for further specified purposes at 1.1.2001 and in force insofar as not already in force at 26.3.2001 by S.I. 2000/2957, art. 2(1)-(3), Schs. 1, 2, 3 (with transitional provisions in arts. 3-8)

Marginal Citations

- M1** 1986 c. 60.
M2 1986 c. 45.
M3 S.I. 1989/2405 (N.I. 19).
M4 1974 c. 37.

Status: Point in time view as at 26/03/2001.

Changes to legislation: Postal Services Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 28 May 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)

M5	S.I. 1978/1039 (N.I. 9).
M6	1968 c. 29.
M7	1973 c. 41.
M8	1974 c. 39.
M9	1979 c. 38.
M10	1980 c. 21.
M11	1984 c. 12.
M12	1986 c. 31.
M13	1986 c. 44.
M14	1986 c. 45.
M15	1987 c. 43.
M16	1989 c. 29.
M17	1990 c. 42.
M18	1991 c. 29.
M19	1991 c. 56.
M20	1991 c. 57.
M21	1993 c. 43.
M22	1994 c. 21.
M23	1996 c. 55.
M24	1998 c. 41.
M25	S.I. 1973/70
M26	S.I. 1987/460 (N.I. 5).
M27	S.I. 1987/2049 (N.I. 20).
M28	S.I. 1989/2405 (N.I. 19).
M29	S.I. 1992/231
M30	S.I. 1994/426 (N.I. 1.)
M31	S.I. 1996/275 (N.I. 2.).
M32	S.I. 1996/2199.
M33	S.I. 1999/662

4 The Secretary of State may by order modify paragraph 3.

Other exceptions

- 5 (1) Paragraph 1(2) does not limit the information which may be—
- (a) included in, or made public as a part of, a report on a reference under section 15,
 - (b) included in, or made public as part of, a report under section 45, 55 or 57,
 - (c) published by the Commission under section 46, or
 - (d) made available by the Council under section 52, 53 or 59 or the Commission under section 58.
- (2) Sub-paragraph (1) is without prejudice to any other exception to paragraph 1(2).
- (3) Paragraph 1(2) does not apply to information which has been made available to the public by being disclosed in circumstances in which, or for a purpose for which, disclosure is not precluded by this Schedule.

Offence

- 6 (1) A person commits an offence if he discloses information in contravention of this Schedule.

Status: Point in time view as at 26/03/2001.

Changes to legislation: Postal Services Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 28 May 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)

- (2) A person who commits an offence under sub-paragraph (1) shall be liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum,
 - (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both.

Status:

Point in time view as at 26/03/2001.

Changes to legislation:

Postal Services Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 28 May 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.