

## SCHEDULES

### SCHEDULE 10

#### COMPETITION TEST FOR EXERCISE OF BUS FUNCTIONS

##### *Information*

- 13 (1) No information which—
- (a) has been obtained by the Director in connection with his functions under this Schedule, and
  - (b) relates to the affairs of any individual or to any particular business,
- is to be disclosed during the lifetime of that individual or while that business continues to be carried on, unless the condition mentioned in sub-paragraph (2) is satisfied.
- (2) The condition is that consent to the disclosure has been obtained from—
- (a) the person from whom the information was obtained, and
  - (b) if different, the individual to whose affairs the information relates or the person for the time being carrying on the business to which the information relates.
- (3) Sub-paragraph (1) does not apply to a disclosure of information—
- (a) made for the purpose of facilitating the performance of any function of the Director, a traffic commissioner or the Rail Regulator,
  - (b) made for the purpose of facilitating the performance of any function of the European Commission in respect of Community law about competition,
  - (c) made for the purpose of criminal proceedings in any part of the United Kingdom or in connection with the investigation of a criminal offence triable in any part of the United Kingdom, or
  - (d) made in compliance with the order of a court or tribunal.
- (4) If information is disclosed to the public in circumstances in which the disclosure does not contravene sub-paragraph (1), that sub-paragraph does not prevent its further disclosure by any person.
- (5) A person who contravenes this paragraph is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- 14 (1) If information is provided by a person to the Director in connection with his functions under this Schedule, the person is guilty of an offence if—
- (a) the information is false or misleading in a material particular, and
  - (b) the person knows that it is or is reckless as to whether it is.
- (2) If a person—
- (a) provides any information to another person, knowing the information to be false or misleading in a material particular, or

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*Status: This is the original version (as it was originally enacted).*

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- (b) recklessly provides to another person any information which is false or misleading in a material particular,  
knowing that the information is to be used for the purpose of providing information to the Director in connection with his functions under this Schedule, the person is guilty of an offence.
- (3) A person guilty of an offence under this paragraph is liable on summary conviction to a fine not exceeding level 5 on the standard scale.