



Childcare Act 2006

2006 CHAPTER 21

PART 1

GENERAL FUNCTIONS OF LOCAL AUTHORITY: ENGLAND

Information, advice and assistance

[^{F1}13B] Unauthorised disclosure of information received under section 13A

- (1) A person commits an offence if the person discloses any information—
 - (a) which the person received by virtue of any of subsections (3) to (5) of section 13A, and
 - (b) which relates to a particular person,unless the information is disclosed in accordance with subsection (2).
- (2) Information is disclosed in accordance with this subsection if it is disclosed in any of the following ways—
 - (a) in the case of information received by virtue of section 13A(3), in accordance with section 13A(5);
 - (b) in the course of a duty that the person disclosing it has in connection with the exercise of functions relating to eligibility for free of charge early years provision [^{F2}or for funding related to free of charge early years provision];
 - (c) in accordance with an enactment or an order of a court;
 - (d) with consent given by or on behalf of the person to whom the information relates.
- (3) It is a defence for a person charged with an offence under subsection (1) to prove that the person reasonably believed that the disclosure was lawful.
- (4) A person guilty of an offence under subsection (1) is liable—
 - (a) on conviction on indictment, to imprisonment for a term not exceeding two years, or a fine, or both;

Changes to legislation: Childcare Act 2006, Section 13B is up to date with all changes known to be in force on or before 26 April 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

- (b) on summary conviction, to imprisonment for a term not exceeding [^{F3}the general limit in a magistrates' court], or a fine not exceeding the statutory maximum, or both.
- (5) In relation to an offence committed before [^{F4}2 May 2022] , the reference in subsection (4)(b) to [^{F5}the general limit in a magistrates' court] is to be read as a reference to 6 months.]

Textual Amendments

- F1** S. 13A - S. 13B inserted (1.9.2012) by Education Act 2011 (c. 21), **ss. 1(3)**, 82(3); S.I. 2012/1087, art. 3
- F2** Words in s. 13B(2)(b) inserted (26.3.2015) by Small Business, Enterprise and Employment Act 2015 (c. 26), **ss. 74(2)**, 164(2)(c)
- F3** Words in s. 13B(4)(b) 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**
- F4** Words in s. 13B(5) substituted (28.4.2022) by The Criminal Justice Act 2003 (Commencement No. 33) and Sentencing Act 2020 (Commencement No. 2) Regulations 2022 (S.I. 2022/500), regs. 1(2), 5(1), **Sch. Pt. 1**
- F5** Words in s. 13B(5) 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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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. 32(6) inserted by [2023 c. 55 Sch. 23 para. 2](#)
- s. 36(1)(a)(b) substituted for words by [2023 c. 55 Sch. 23 para. 6\(2\)](#)
- s. 36(5)(ac)(ad) inserted by [2023 c. 55 Sch. 23 para. 6\(5\)](#)
- s. 37(2A) inserted by [2023 c. 55 Sch. 23 para. 7\(4\)](#)
- s. 37A(1A) inserted by [2023 c. 55 Sch. 23 para. 8\(3\)](#)
- s. 45A(4C) inserted by [2016 c. 5 s. 3\(2\)\(a\)](#)
- s. 47ZA(3)(a) substituted by [2016 c. 5 s. 3\(2\)\(b\)](#)
- s. 54(1)(a) words substituted by [2023 c. 55 Sch. 23 para. 11\(3\)\(a\)](#)
- s. 54(1)(b) words inserted by [2023 c. 55 Sch. 23 para. 11\(3\)\(b\)](#)
- s. 55(1)(a)(b) substituted for words by [2023 c. 55 Sch. 23 para. 12\(2\)](#)
- s. 55(5)(ac)(ad) inserted by [2023 c. 55 Sch. 23 para. 12\(5\)](#)
- s. 56(2A) inserted by [2023 c. 55 Sch. 23 para. 13\(4\)](#)
- s. 56A(1A) inserted by [2023 c. 55 Sch. 23 para. 14\(3\)](#)
- s. 57(1)(a)(i)(ii) substituted for words by [2023 c. 55 Sch. 23 para. 15\(b\)](#)
- s. 57A(2)(a)(i)(ii) substituted for words by [2023 c. 55 Sch. 23 para. 16\(3\)](#)
- s. 63(A1)(1) substituted for s. 63(1) by [2023 c. 55 Sch. 23 para. 18](#)
- s. 64(2A) inserted by [2023 c. 55 Sch. 23 para. 19\(4\)](#)
- s. 68(3)(a)(b) substituted for words by [2023 c. 55 Sch. 23 para. 22\(2\)](#)
- s. 68(4)(a)(b) substituted for words by [2023 c. 55 Sch. 23 para. 22\(3\)](#)
- s. 68(5)(a)(b) substituted for words by [2023 c. 55 Sch. 23 para. 22\(4\)](#)
- s. 98(1B) inserted by [2023 c. 55 Sch. 23 para. 24\(3\)](#)
- s. 113A(1) repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 113A(3) words repealed by [2012 c. 5 Sch. 14 Pt. 1](#)