



# Groceries Code Adjudicator Act 2013

## 2013 CHAPTER 19

### *How does the Adjudicator handle information?*

#### **18 Confidentiality**

- (1) The Adjudicator may not make an unauthorised disclosure of information relating to an arbitration under the Groceries Supply Order or under a supply agreement if—
  - (a) the information identifies a party to the arbitration; or
  - (b) the Adjudicator thinks that the identity of a party to the arbitration could be deduced from it.
- (2) The Adjudicator may not make an unauthorised disclosure of information that the Adjudicator thinks might cause someone to think that a particular person has complained about a large retailer failing to comply with the Groceries Code.
- (3) For the purposes of this section a disclosure of information is unauthorised unless—
  - (a) the Adjudicator has obtained the required consent;
  - (b) the disclosure is required for the purpose of [<sup>F1</sup>[<sup>F2</sup>an assimilated] obligation]; or
  - (c) the disclosure is required, under rules of court or a court order, for the purposes of legal proceedings of any description.
- (4) The required consent is—
  - (a) in the case of information to which subsection (1) applies, the consent of the parties to the arbitration;
  - (b) in the case of information to which subsection (2) applies, the consent of the person.
- (5) The prohibitions contained in this section are in addition to any that apply by virtue of Part 9 of the Enterprise Act 2002.

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**Changes to legislation:** There are currently no known outstanding effects for the Groceries Code Adjudicator Act 2013, Section 18. (See end of Document for details)

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#### **Textual Amendments**

- F1** Words in s. 18(3)(b) substituted (31.12.2020) by [The Groceries Code Adjudicator Act 2013, Small Business, Enterprise and Employment Act 2015 and Enterprise Act 2016 \(Amendment\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1046\)](#), regs. 1, 2; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in s. 18(3)(b) substituted (1.1.2024) by [The Retained EU Law \(Revocation and Reform\) Act 2023 \(Consequential Amendment\) Regulations 2023 \(S.I. 2023/1424\)](#), reg. 1(2), **Sch. para. 78**
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#### **Commencement Information**

- I1** S. 18 in force at 25.6.2013 by [S.I. 2013/1236](#), **art. 2**

**Changes to legislation:**

There are currently no known outstanding effects for the Groceries Code Adjudicator Act 2013, Section 18.