



Data Protection Act 2018

2018 CHAPTER 12

PART 5

THE INFORMATION COMMISSIONER

Information provided to the Commissioner

132 Confidentiality of information

- (1) A person who is or has been the Commissioner, or a member of the Commissioner's staff or an agent of the Commissioner, must not disclose information which—
- (a) has been obtained by, or provided to, the Commissioner in the course of, or for the purposes of, the discharging of the Commissioner's functions,
 - (b) relates to an identified or identifiable individual or business, and
 - (c) is not available to the public from other sources at the time of the disclosure and has not previously been available to the public from other sources,
- unless the disclosure is made with lawful authority.
- (2) For the purposes of subsection (1), a disclosure is made with lawful authority only if and to the extent that—
- (a) the disclosure was made with the consent of the individual or of the person for the time being carrying on the business,
 - (b) the information was obtained or provided as described in subsection (1)(a) for the purpose of its being made available to the public (in whatever manner),
 - (c) the disclosure was made for the purposes of, and is necessary for, the discharge of one or more of the Commissioner's functions,
 - ^{F1}(d)
 - (e) the disclosure was made for the purposes of criminal or civil proceedings, however arising, or
 - (f) having regard to the rights, freedoms and legitimate interests of any person, the disclosure was necessary in the public interest.

Changes to legislation: Data Protection Act 2018, Section 132 is up to date with all changes known to be in force on or before 07 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

- (3) It is an offence for a person knowingly or recklessly to disclose information in contravention of subsection (1).

Textual Amendments

- F1** S. 132(2)(d) omitted (31.12.2020) by virtue of [The Data Protection, Privacy and Electronic Communications \(Amendments etc\) \(EU Exit\) Regulations 2019 \(S.I. 2019/419\)](#), reg. 1(2), [Sch. 2 para. 55](#) (with reg. 5); 2020 c. 1, Sch. 5 para. 1(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):

- Sch. 3 para. 8(1)(y) added by [2022 c. 18 \(N.I.\) Sch. 3 para. 78\(3\)](#)