

SCHEDULES

SCHEDULE 7

Section 30

OFFENCES RELATING TO DISCLOSURE OF INFORMATION

Current and former Commissioners, ICRIR officers and ICRIR contractors

- 1 (1) A person who is, or has ceased to be, a Commissioner, ICRIR officer or ICRIR contractor commits an offence if—
- (a) the person discloses information which the person obtained as a Commissioner, ICRIR officer or ICRIR contractor, and
 - (b) the disclosure would, if it had been made by the ICRIR, have constituted a breach of a relevant prohibition on disclosure.
- (2) It does not matter whether the disclosure of information occurs within or outside the United Kingdom.
- (3) This paragraph does not apply to the communication of information by a person to another person in that other person's capacity as a Commissioner, ICRIR officer, or ICRIR contractor.
- (4) It is a defence for a person charged with an offence under this paragraph to prove that at the time of the alleged offence the person did not know, and had no reasonable cause to believe, that the disclosure would, if it had been made by the ICRIR, have constituted a breach of a relevant prohibition on disclosure.

Penalties

- 2 A person guilty of an offence under this Schedule is liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine or both;
 - (b) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding six months or a fine not exceeding the statutory maximum or both;
 - (c) on summary conviction in England and Wales, to imprisonment for a term not exceeding the general limit in a magistrates' court or a fine or both;
 - (d) on summary conviction in Scotland, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum or both.

Interpretation

- 3 In this Schedule—
- “relevant prohibition on disclosure” is a prohibition on disclosure of information imposed by section 30(2)—
- (a) where any of prohibitions A to C applies (see section 30(4) to (6)), or

Status: This is the original version (as it was originally enacted).

- (b) where prohibition D applies (see section 30(7)) because the disclosure contravenes the duty imposed by section 4(1)(a) or (b).