



Northern Ireland Troubles (Legacy and Reconciliation) Act 2023

2023 CHAPTER 41

PART 2

THE INDEPENDENT COMMISSION FOR RECONCILIATION AND INFORMATION RECOVERY

Information

30 Disclosure of information: general power and prohibitions

- (1) The ICRIR may disclose any information held by the ICRIR to any other person.
- (2) A disclosure of information by the ICRIR (under this section or any other power or duty) must not be made if any of prohibitions A to F applies to the disclosure or information concerned.
- (3) But prohibitions A to D do not apply to a disclosure of information if it is permitted by Schedule 6.
- (4) *Prohibition A*: the Commissioner for Investigations has identified the information as sensitive information (see paragraph 1 of Schedule 8).
- (5) *Prohibition B*: a relevant authority has notified the Commissioner for Investigations that the information has been identified as sensitive information (see paragraph 2 or 3 of Schedule 8).
- (6) *Prohibition C*: the Secretary of State has notified the Commissioner for Investigations that the information has been identified as protected international information (see paragraph 5 of Schedule 8).
- (7) *Prohibition D*: the ICRIR would otherwise contravene the duty imposed by section 4(1) by making the disclosure.

Status: This is the original version (as it was originally enacted).

- (8) *Prohibition E*: the disclosure would contravene the data protection legislation (but in determining whether a disclosure would do so, take into account the power or duty which authorises or requires the disclosure).

Here “the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3(9) of that Act).

- (9) *Prohibition F*: the disclosure is prohibited by Parts 1 to 7, and Chapter 1 of Part 9, of the Investigatory Powers Act 2016.
- (10) Schedule 6 sets out which disclosures are permitted for the purposes of this section and makes provision about decisions to prohibit disclosures of sensitive information in final reports by the ICRIR.
- (11) Schedule 7 sets out offences relating to disclosure of information.