

SCHEDULE 1

PROVISIONS OF THE CHEMICAL WEAPONS ACT 1996 AS EXCEPTED, ADAPTED AND MODIFIED AND EXTENDED TO THE TERRITORIES LISTED IN SCHEDULE 3

Other miscellaneous provisions

Disclosure of information

32.—(1) This section applies to information if—

- (a) it was obtained under, or in connection with anything done under, this Act or the Convention, and
- (b) it relates to a particular business or other activity carried on by any person.

(2) So long as the business or activity continues to be carried on the information shall not be disclosed except—

- (a) with the consent of the person for the time being carrying on the business or activity,
- (b) in connection with anything done for the purposes of the Convention,
- (c) in connection with anything done for the purposes of this Act,
- (d) in connection with the investigation of any criminal offence or for the purposes of any criminal proceedings,
- (e) in connection with the enforcement of any restriction on imports or exports,
- (f) in dealing with an emergency involving danger to the public,
- (g) with a view to ensuring the security of the Territory, or
- (h) to the International Court of Justice for the purpose of enabling that Court to deal with any dispute referred to it under the Convention.

(3) [omitted]

(4) A person who discloses information in contravention of this section is guilty of an offence and liable—

- (a) on summary conviction, to a fine not exceeding £5,000 or its equivalent;
- (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both.

(5) Where a person proposes to disclose information to which this section applies in circumstances where the disclosure would by virtue of paragraphs (b) to (h) of subsection (2) not contravene this section, he may disclose the information notwithstanding any obligation not to disclose it that would otherwise apply.

33. [omitted]

Service of notices

34. A notice under any provision of this Act, or a copy of a notice under any such provision, may be served on a person—

- (a) by delivering it to him in person,
- (b) by sending it by post to him at his usual or last-known residence or place of business in the Territory, or

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- (c) in the case of a body corporate, by delivering it to the secretary or clerk of the body corporate at its registered or principal office or sending it by post to the secretary or clerk of that body corporate at that office.

35. [omitted]

36. [omitted]

The Crown

37.—(1) Subject to the following provisions of this section, this Act binds the Crown.

(2) No contravention by the Crown of a provision made by or under this Act shall make the Crown criminally liable; but the supreme court of the Territory may, on the application of a person appearing to the court to have an interest, declare unlawful any act or omission of the Crown which constitutes such a contravention.

(3) Notwithstanding subsection (2), the provisions made by or under this Act apply to persons in the public service of the Crown as they apply to other persons.

(4) Nothing in this section affects Her Majesty in her private capacity; and this subsection shall be construed as if section 38(3) of the Crown Proceedings Act 1947 (meaning of Her Majesty in her private capacity)⁽¹⁾ were contained in this Act.

38. [omitted]

Citation

39.—(1) [omitted]

(2) [omitted]

(3) [omitted]

(4) This Act shall be cited as the Chemical Weapons Act 1996.

(1) 1947 c. 44.