



Water Resources Act 1991

1991 CHAPTER 57

PART VIII

INFORMATION PROVISIONS

Restriction on disclosure of information

205 Confidentiality of information relating to underground water etc.

- (1) The person sinking any such well or borehole as is mentioned in section 198 above or, if it is a different person, the owner or occupier of the land on which any such well or borehole is sunk may by notice to the Natural Environment Research Council require that Council to treat as confidential—
 - (a) any copy of or extract from the journal required to be kept under that section; or
 - (b) any specimen taken in exercise of the rights specified in subsection (5) of that section.
- (2) Subject to subsections (3) and (4) below, the Natural Environment Research Council shall not, without the consent of the person giving the notice, allow any matter to which any notice under subsection (1) above relates to be published or shown to any person who is not an officer of that Council or of a department of the Secretary of State.
- (3) Subsection (2) above shall not prohibit any matter from being published or shown to any person in so far as it contains or affords information as to water resources and supplies.
- (4) If at any time the Natural Environment Research Council give notice to any person that in their opinion his consent for the purposes of subsection (2) above is being unreasonably withheld—
 - (a) that person may, within three months after the giving of the notice, appeal to the High Court for an order restraining that Council from acting as if consent had been given; and

Status: Point in time view as at 01/12/1991. This version of this provision has been superseded.

Changes to legislation: Water Resources Act 1991, Section 205 is up to date with all changes known to be in force on or before 11 July 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)

- (b) that Council may proceed as if consent had been given if either no such appeal is brought within that period or the High Court, after hearing the appeal, do not make such an order.
- (5) Any person who fails to comply with any obligation imposed on him by the preceding provisions of this section shall be guilty of an offence and liable, on summary conviction—
- (a) to a fine not exceeding level 3 on the standard scale; and
 - (b) where the offence continues after conviction, to a further fine of £20 for every day during which it so continues.
- (6) If any person who is admitted to any premises in compliance with section 198(2)(c) above discloses to any person any information obtained by him there with regard to any manufacturing process or trade secret, he shall, unless the disclosure is in performance of his duty, be guilty of an offence and liable—
- (a) on summary conviction, to imprisonment for a term not exceeding three months or to a fine not exceeding the statutory maximum or to both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding three months or to a fine or to both.

Status:

Point in time view as at 01/12/1991. This version of this provision has been superseded.

Changes to legislation:

Water Resources Act 1991, Section 205 is up to date with all changes known to be in force on or before 11 July 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.