



Welfare Reform Act 2012

2012 CHAPTER 5

PART 5

SOCIAL SECURITY: GENERAL

Information-sharing: Secretary of State and DPP

129 Unlawful disclosure of information supplied under section 128

- (1) A person to whom information is supplied under section 128, or an employee or former employee of such a person, may not disclose the information if it relates to a particular person.
- (2) Subsection (1) does not apply to—
- (a) a disclosure of a summary or collection of information so framed as not to enable information relating to any particular person to be ascertained from it;
 - (b) a disclosure made for the purposes of a function of the Director of Public Prosecutions, where the disclosure does not contravene any restriction imposed by the Director;
 - (c) a disclosure made to the Secretary of State, or a person providing services to the Secretary of State, for the purposes of the exercise of functions relating to social security matters (within the meaning of section 128) [^{F1}or child support];
 - (d) a disclosure made for the purposes of a criminal investigation or criminal proceedings (whether or not in the United Kingdom);
 - (e) a disclosure made for the purposes of—
 - (i) the exercise of any functions of the prosecutor under Parts 2, 3 and 4 of the Proceeds of Crime Act 2002;
 - (ii) the exercise of any functions of the Serious Organised Crime Agency under that Act;
 - (iii) the exercise of any functions of the Director of the Serious Fraud Office, the Director of Public Prosecutions for Northern Ireland or the Scottish Ministers under, or in relation to, Part 5 or 8 of that Act;

Status: Point in time view as at 01/04/2014. This version of this provision has been superseded.

Changes to legislation: Welfare Reform Act 2012, Section 129 is up to date with all changes known to be in force on or before 04 September 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)

- (iv) investigations or proceedings outside the United Kingdom which have led or may lead to the making of an external order within the meaning of section 447 of that Act;
 - (f) a disclosure made to a person exercising public functions of law enforcement for the purposes of the exercise of those functions in civil proceedings;
 - (g) a disclosure which in the opinion of the Director of Public Prosecutions is desirable for the purpose of safeguarding national security;
 - (h) a disclosure made in pursuance of an order of a court;
 - (i) a disclosure made with the consent of each person to whom the information relates.
- (3) Subsection (1) does not apply in relation to information relating to schemes and arrangements under section 2 of the Employment and Training Act 1973.
- (4) Subsection (1) is subject to any other Act or to an instrument made under an Act.
- (5) A person who contravenes subsection (1) commits an offence.
- (6) It is a defence for a person charged with an offence under this section of disclosing information to prove that he or she reasonably believed—
- (a) that the disclosure was lawful, or
 - (b) that the information had already and lawfully been made available to the public.
- (7) A person guilty of an offence under this section is liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine or both, or
 - (b) on summary conviction, to imprisonment for a term not exceeding twelve months or a fine not exceeding the statutory maximum or both.
- (8) A prosecution for an offence under this section may be instituted only with the consent of the Director of Public Prosecutions.
- (9) In relation to an offence under this section committed before the commencement of section 154(1) of the Criminal Justice Act 2003 (increase in maximum term that may be imposed on summary conviction of offence triable either way), the reference in subsection (7)(b) to twelve months shall have effect as if it were a reference to six months.

Textual Amendments

- F1** Words in s. 129(2)(c) inserted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), **Sch. para. 104**

Commencement Information

- II** S. 129 in force at 20.3.2012 by [S.I. 2012/863](#), art. 2(1)(e)

Status:

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