



2002 CHAPTER 5

Preserved rights: disclosure of information

2.—(1) For the purposes of this section a “claimant” is—

- (a) in relation to any time before the appointed day, a person who is ordinarily resident in relevant premises and has a preserved right by virtue of which enhanced payments are being made to or in respect of him by way of income support or jobseeker’s allowance; or
- (b) in relation to any later time, a person who fell within paragraph (a) immediately before that day.

(2) Any information—

- (a) held by, or by a person providing services to, the Department for Social Development about a claimant, and
- (b) relating to income support or jobseeker’s allowance,

may be supplied, for qualifying purposes, to the Department or to any person providing services to, or authorised to exercise functions of, the Department.

(3) Where information relating to a claimant is supplied to the Department or any person (“the recipient”) in accordance with subsection (2), the information may be supplied by the recipient, for qualifying purposes, to any person providing services to, or authorised to exercise functions of, the Department.

(4) In subsections (2) and (3) “qualifying purposes”, in relation to information relating to a claimant, means—

- (a) purposes connected with the performance of functions under section 1 in relation to the claimant; or
- (b) other purposes connected with the termination of his preserved rights in consequence of section 3; or

(c) (in subsection(2)) any further supply of the information under subsection (3).

(5) Where information relating to a particular person is supplied to the Department or any person in accordance with subsection (2) or (3), section 117 of the Social Security Administration (Northern Ireland) Act 1992 (c. 8) (unauthorised disclosure of information relating to particular persons) shall apply in relation to the disclosure of the information by—

- (a) any recipient of the information (other than the Department) or any officer or employee of such a recipient, or
- (b) any officer or employee of the Department,

without lawful authority (within the meaning of that section) as it applies to any disclosure of information to which subsection (1) of that section applies.