



2016 CHAPTER 21

PART 1

FINES AND OTHER PENALTIES: ENFORCEMENT

CHAPTER 1

Collection of Fines etc.

Deductions from benefits

Disclosure of information

17.—(1) The Department for Social Development, or a person providing services to that Department, may disclose social security information to a court or a collection officer for the purpose of—

- (a) facilitating a decision by the court or officer whether or not to make an application for deduction from benefits, or
- (b) facilitating the making of the application by the court or officer.

(2) In subsection (1), “social security information” means—

- (a) information which is held by the Department for the purposes of functions relating to social security,
- (b) information which is held by a person providing services to the Department in connection with the provision of those services, or
- (c) information which is held with information of the description given in paragraph (a) or (b).

(3) A person to whom information is disclosed under this section commits an offence if the person—

Changes to legislation: There are currently no known outstanding effects for the Justice Act (Northern Ireland) 2016, Section 17. (See end of Document for details)

- (a) discloses the information to another person, or
 - (b) uses the information for a purpose other than a purpose referred to in subsection (1).
- (4) It is not an offence under subsection (3)—
- (a) to disclose any information in accordance with a statutory provision or with an order of a court or of a tribunal established by or under a statutory provision or for the purposes of any proceedings before a court,
 - (b) to disclose or use any information which is in the form of a summary or collection of information so framed as not to enable information relating to any particular person to be ascertained from it, or
 - (c) to disclose or use any information which has previously been lawfully disclosed to the public.
- (5) It is a defence for a person charged with an offence under subsection (3) to prove that the person reasonably believed that the disclosure or use was lawful.
- (6) A person guilty of an offence under subsection (3) is liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or both.
- (7) Nothing in this section authorises the making of a disclosure which contravenes the [F1the data protection legislation] .
- (8) In this section [F2—
- “the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act);]
- “information” means information held in any form.

Textual Amendments

- F1** Words in s. 17(7) substituted (25.5.2018) by [Data Protection Act 2018 \(c. 12\), s. 212\(1\), Sch. 19 para. 208\(2\)](#) (with [ss. 117, 209, 210](#)); [S.I. 2018/625, reg. 2\(1\)\(g\)](#) (but this amendment could not take effect until the commencement of 2016 c. 21 (N.I), s. 17(7) on 1.6.2018)
- F2** Words in s. 17(8) inserted (25.5.2018) by [Data Protection Act 2018 \(c. 12\), s. 212\(1\), Sch. 19 para. 208\(3\)](#) (with [ss. 117, 209, 210](#)); [S.I. 2018/625, reg. 2\(1\)\(g\)](#) (but this amendment could not take effect until the commencement of 2016 c. 21 (N.I), s. 17(8) on 1.6.2018)

Commencement Information

- I1** S. 17(1)-(5) in operation at 1.6.2018 by [S.R. 2018/99, art. 2\(a\)](#)
- I2** S. 17(7)(8) in operation at 1.6.2018 by [S.R. 2018/99, art. 2\(a\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Justice Act (Northern Ireland) 2016, Section 17.