



# Harbours Act 1964

## 1964 CHAPTER 40

### *Miscellaneous and General*

#### **46 Restriction of disclosure of information**

(1) No person shall disclose any information furnished to him in pursuance of a requirement imposed under section 4 or 41 of this Act or obtained by him in the exercise of rights under section 10 of this Act except—

- (a) with the consent of the person by whom it was furnished or, as the case may be, carrying on the undertaking to which related the books, records or other documents from which it was obtained; or
- (b) in the form of a summary of information so furnished by, or so obtained from documents relating to undertakings carried on by, a number of persons, being a summary so framed as not to enable particulars relating to the business of individual persons to be ascertained therefrom; or
- (c) for the purpose of enabling the Council or the Minister to discharge their or his functions under this Act; or
- (d) for the purposes of any legal proceedings (including arbitrations) or for the purposes of a report of any such proceedings as aforesaid ;

and no person shall disclose anything contained in a forecast furnished to him in pursuance of a requirement under the said section 41 except with the consent of the person by whom the forecast was furnished, in the form of a summary of forecasts so furnished by a number of persons (being a summary framed as mentioned in subsection (1)(b) above), for such a purpose as is mentioned in subsection (1)(c) above or for such purposes as are mentioned in subsection (1)(d) above.

(2) If a person makes a disclosure in contravention of this section he shall 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 £100, or to both;
- (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine, or to both.