



# Control of Pollution Act 1974

## 1974 CHAPTER 40

### PART V

#### SUPPLEMENTARY PROVISIONS

##### *Miscellaneous*

#### **94 Prohibition of disclosure of information**

- (1) If a person discloses information relating to any trade secret used in carrying on a particular undertaking and the information has been given to him or obtained by him by virtue of this Act he shall, subject to the following subsection, be guilty of an offence and liable on summary conviction to a fine not exceeding £400.
- (2) A person shall not be guilty of an offence under the preceding subsection by virtue of the disclosure of any information if—
  - (a) the disclosure is made—
    - (i) in the performance of his duty, or
    - (ii) in pursuance of section 79(1)(b) of this Act, or
    - (iii) with the consent in writing of a person having a right to disclose the information ; or
  - (b) the information is of a kind prescribed for the purposes of this paragraph and, if regulations made for those purposes provide that information of that kind may only be disclosed in pursuance of the regulations to prescribed persons, the disclosure is to a prescribed person.
- (3) In the application of this section to Scotland, in subsection (1) the reference to this Act shall include a reference to the Rivers (Prevention of Pollution) (Scotland) Act 1951.