



National Minimum Wage Act 1998

1998 CHAPTER 39

Information

15 Information obtained by officers.

- (1) This section applies to ^[F1]—
 - (a) any information obtained by an officer acting for the purposes of this Act, whether by virtue of paragraph (a) or paragraph (b) of section 13(1) above ^[F2], and
 - (b) any information obtained by an officer acting by virtue of section 26(2) of the Immigration Act 2016 (investigative functions in connection with labour market enforcement undertakings and orders).]
- (2) Information to which this section applies vests in the Secretary of State.
- (3) Information to which this section applies may be used for any purpose relating to this Act by—
 - (a) the Secretary of State; or
 - (b) any ^[F3]eligible relevant authority whose officer obtained the information.
- (4) Information to which this section applies—
 - (a) may be supplied by, or with the authorisation of, the Secretary of State to any ^[F4]eligible relevant authority for any purpose relating to this Act; and
 - (b) may be used by the recipient for any purpose relating to this Act.
- (5) Information supplied under subsection (4) above—
 - (a) shall not be supplied by the recipient to any other person or body unless it is supplied for the purposes of any civil or criminal proceedings relating to this Act; and
 - (b) shall not be supplied in those circumstances without the authorisation of the Secretary of State.

^[F5](5A) Information to which this section applies—

Changes to legislation: There are currently no known outstanding effects for the National Minimum Wage Act 1998, Section 15. (See end of Document for details)

- (a) may be supplied by, or with the authorisation of, the Secretary of State to an officer acting for the purposes of the Employment Agencies Act 1973 for any purpose relating to that Act; and
- (b) may be used by an officer acting for the purposes of that Act for any purpose relating to that Act.]

[^{F6}(5B) Information to which this section applies—

- (a) may be supplied by, or with the authorisation of, the Secretary of State to an officer acting for the purposes of Part 2 of the Employment (Miscellaneous Provisions) (Northern Ireland) Order 1981 for any purpose relating to that Part; and
- (b) may be used by an officer acting for the purposes of that Part for any purpose relating to that Part.]

[^{F7}(5C) Information to which this section applies—

- (a) may be supplied by, or with the authorisation of, the Secretary of State to an officer acting by virtue of section 26 of the Immigration Act 2016 (investigative functions in connection with labour market enforcement undertakings and orders); and
- (b) may be used by an officer so acting for any purpose for which the officer is so acting.]

[^{F8}(6) This section—

- (a) does not limit the circumstances in which information may be supplied or used apart from this section; and
- (b) is subject to section 148 of the Finance Act 2000 (use of minimum wage information).]

[^{F9}(6A) Nothing in this section prevents a disclosure in accordance with section 16A below.]

(7) Subsection (2) above does not affect the title or rights of—

- (a) any person whose property the information was immediately before it was obtained as mentioned in subsection (1) above; or
- (b) any person claiming title or rights through or under such a person otherwise than by virtue of any power conferred by or under this Act.

(8) In this section [^{F10}“eligible relevant authority” means any relevant authority within the meaning given by section 13(1A) which] is party to arrangements made with the Secretary of State which are in force under section 13(1)(b) above.

Textual Amendments

- F1** S. 15(1)(a): words in s. 15(1) renumbered as s. 15(1)(a) (12.7.2016) by [Immigration Act 2016 \(c. 19\)](#), s. 94(1), [Sch. 3 para. 7\(2\)\(a\)](#); S.I. 2016/603, reg. 3(u)
- F2** S. 15(1)(b) and word inserted (12.7.2016) by [Immigration Act 2016 \(c. 19\)](#), s. 94(1), [Sch. 3 para. 7\(2\)\(b\)](#); S.I. 2016/603, reg. 3(u)
- F3** Word in s. 15(3)(b) inserted (12.7.2016) by [Immigration Act 2016 \(c. 19\)](#), s. 94(1), [Sch. 2 para. 7\(a\)](#); S.I. 2016/603, reg. 3(t)
- F4** Word in s. 15(4)(a) inserted (12.7.2016) by [Immigration Act 2016 \(c. 19\)](#), s. 94(1), [Sch. 2 para. 7\(b\)](#); S.I. 2016/603, reg. 3(t)
- F5** S. 15(5A) inserted (6.4.2009) by [Employment Act 2008 \(c. 24\)](#), [ss. 18\(1\)](#), 22(1)(f); S.I. 2009/603, art. 2 (with [art. 3](#), [Sch.](#))
- F6** S. 15(5B) inserted (N.I.) (3.8.2010) by [Employment Act \(Northern Ireland\) 2010 \(c. 12\)](#), [ss. 5\(1\)](#), 8(2)

Changes to legislation: *There are currently no known outstanding effects for the National Minimum Wage Act 1998, Section 15. (See end of Document for details)*

- F7** S. 15(5C) inserted (12.7.2016) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 3 para. 7(3)**; S.I. 2016/603, reg. 3(u)
- F8** S. 15(6) substituted (28.7.2000) by 2000 c. 17, s. **148(4)**
- F9** S. 15(6A) inserted (6.4.2005) by Employment Relations Act 2004 (c. 24), s. 59(3), **Sch. 1 para. 40**; S.I. 2005/872, art. 4, Sch.
- F10** Words in s. 15(8) substituted (12.7.2016) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 2 para. 7(e)**; S.I. 2016/603, reg. 3(t)

Changes to legislation:

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