



Greater London Authority Act 1999

1999 CHAPTER 29

PART IV

TRANSPORT

CHAPTER VII

PUBLIC-PRIVATE PARTNERSHIP AGREEMENTS

The PPP arbiter

235 Restrictions on disclosure of information.

- (1) Subject to the following provisions of this section, no information with respect to any particular business which—
- (a) has been obtained by the PPP arbiter under or by virtue of any of the provisions of this Chapter, and
 - (b) relates to the affairs of any individual or to any particular business,
- shall, during the lifetime of that individual or so long as that business continues to be carried on, be disclosed without the consent of that individual or the person for the time being carrying on that business.
- (2) Subsection (1) above does not apply to any disclosure of information which is made—
- (a) for the purpose of facilitating the carrying out by the Secretary of State, the Mayor of London, Transport for London or the PPP arbiter of any of his or, as the case may be, its functions under this Act;
 - (b) for the purpose of facilitating the carrying out by the Secretary of State, the [^{F1}Office of Rail Regulation], the [^{F2}Strategic Rail Authority], the Competition Commission or the Mayor of any of his or, as the case may be, its functions under the ^{M1}Railways Act 1993;
 - (c) for the purpose of facilitating the carrying out by—
 - (i) any Minister of the Crown,

Status: Point in time view as at 05/02/2005. This version of this provision has been superseded.

Changes to legislation: Greater London Authority Act 1999, Section 235 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- [^{F3}(ii) the Office of Fair Trading,]
- (iii) the Competition Commission,
- [^{F4}(iv) the Office of Communications,]
- (v) the Director General of Gas Supply,
- (vi) the Director General of Water Supply,
- (vii) the Director General of Electricity Supply,
- (viii) the Civil Aviation Authority,
- (ix) the Insolvency Practitioners Tribunal, or
- (x) a local weights and measures authority in Great Britain,

of any of his or, as the case may be, its functions under any of the enactments or instruments specified in subsection (3) below;

- (d) for the purpose of enabling or assisting the Secretary of State or the Treasury to exercise any powers conferred by the ^{M2}Financial Services Act 1986 or by the enactments relating to companies, insurance companies or insolvency or for the purpose of enabling or assisting any inspector appointed under the enactments relating to companies to carry out his functions;
- (e) for the purpose of enabling or assisting an official receiver to carry out his functions under the enactments relating to insolvency or for the purpose of enabling or assisting a recognised professional body for the purposes of section 391 of the ^{M3}Insolvency Act 1986 to carry out its functions as such;
- (f) for the purpose of facilitating the carrying out by the Health and Safety Commission or the Health and Safety Executive of any of its functions under any enactment or of facilitating the carrying out by any enforcing authority, within the meaning of Part I of the ^{M4}Health and Safety at Work etc. Act 1974, of any functions under a relevant statutory provision, within the meaning of that Act;
- (g) for the purpose of facilitating the carrying out by the Comptroller and Auditor General of any of his functions under any enactment;
- (h) for the purpose of facilitating the carrying out by the International [^{F1}Office of Rail Regulation] of any of his functions under any subordinate legislation made for the purpose of implementing—
 - (i) the Directive of the Council of the European Communities dated 29th July 1991 on the development of the Community’s railways; or
 - (ii) Council Directive [95/19/EC](#) on the allocation of railway infrastructure capacity and the charging of infrastructure fees;
- (j) in connection with the investigation of any criminal offence or for the purposes of any criminal proceedings;
- (k) for the purposes of any civil proceedings brought under or by virtue of this Act or any of the enactments or instruments specified in subsection (3) below; or
- (l) in pursuance of a Community obligation.

(3) The enactments and instruments referred to in subsection (2) above are—

- (a) the ^{M5}Trade Descriptions Act 1968;
- (b) the ^{M6}Fair Trading Act 1973;
- (c) the ^{M7}Consumer Credit Act 1974;
- ^{F5}(d)
- ^{F5}(e)
- (f) the ^{M8}Estate Agents Act 1979;
- (g) the ^{M9}Competition Act 1980;

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- (h) the ^{M10}Telecommunications Act 1984;
 - (j) the ^{M11}Airports Act 1986;
 - (k) the ^{M12}Gas Act 1986;
 - (l) the ^{M13}Insolvency Act 1986;
 - (m) the ^{M14}Consumer Protection Act 1987;
 - (n) the ^{M15}Electricity Act 1989;
 - (o) the ^{M16}Property Misdescriptions Act 1991;
 - (p) the ^{M17}Water Industry Act 1991;
 - (q) the ^{M18}Water Resources Act 1991;
 - (r) the ^{M19}Railways Act 1993;
 - [^{F6}(rr) the Competition Act 1998]
 - [^{F7}(rs) the Enterprise Act 2002;]
 - [^{F8}(rt) the Communications Act 2003;]
 - (s) any subordinate legislation made for the purpose of securing compliance with the Directive of the Council of the European Communities dated 10th September 1984 on the ^{M20}approximation of the laws, regulations and administrative provisions of the member States concerning misleading advertising.
- (4) The Secretary of State may by order provide that subsections (2) and (3) above shall have effect subject to such modifications as are specified in the order.
- (5) The prohibition imposed by subsection (1) above shall be enforceable by civil proceedings—
- (a) by the individual mentioned in that subsection, or
 - (b) by the person for the time being carrying on the business there mentioned, for an injunction or for any other appropriate relief or remedy.
- ^{F9}(6)

Textual Amendments

- F1** Words in s. 235 substituted (5.7.2004) by [Railways and Transport Safety Act 2003 \(c. 20\)](#), **Sch. 2 para. 19(q)**; S.I. 2004/827, art. 4(g)
- F2** Words in s. 235(2)(b) substituted (1.2.2001) by [2000 c. 38](#), s. 215(1), **Sch. 16 para. 66(1)(2)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to transitional provisions and savings in [Sch. 2 Pt. II](#)) (which S.I. is amended by S.I. 2001/115, **art. 2(2)**)
- F3** S. 235(2)(c)(ii) substituted (1.4.2003) by [Enterprise Act 2002 \(c. 40\)](#), s. 279, **Sch. 25 para. 39(2)(a)**; S.I. 2003/766, art. 2, **Sch.** (with **art. 3**) (as amended (20.7.2007) by S.I. 2007/1846, reg. 3(2), **Sch.**)
- F4** S. 235(2)(c)(iv) substituted (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), **Sch. 17 para. 157(2)** (with [Sch. 18](#)); S.I. 2003/1900, arts. 1(2), 2(1), **Sch. 1** (with **art. 3**) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with **art. 11**)
- F5** S. 235(3)(d)(e) repealed (1.3.2000) by S.I. 2000/311, **art. 35(2)(a)**
- F6** S. 235(3)(rr) inserted (1.3.2000) by S.I. 2000/311, **art. 35(2)(b)**
- F7** S. 235(3)(rs) inserted (1.4.2003) by [Enterprise Act 2002 \(c. 40\)](#), s. 279, **Sch. 25 para. 39(2)(b)**; S.I. 2003/766, art. 2, **Sch.** (with **art. 3**) (as amended (20.7.2007) by S.I. 2007/1846, reg. 3(2), **Sch.**)
- F8** S. 235(3)(rt) inserted (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), **Sch. 17 para. 157(3)** (with [Sch. 18](#)); S.I. 2003/1900, arts. 1(2), 2(1), **Sch. 1** (with **art. 3**) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with **art. 11**)

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- F9** S. 235(6) repealed (1.2.2001) by 2000 c. 38, ss. 215(1), 274, Sch. 16 para. 66(1)(3), **Sch. 31 Pt. IV**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to transitional provisions and savings in Sch. 2 Pt. II) (which S.I. is amended by S.I. 2001/115, **art. 2(2)**)

Commencement Information

- I1** S. 235 wholly in force at 12.1.2000: by virtue of s. 425(2) the Act comes into force at Royal Assent in regards to any power of a Minister of the Crown to make regulations or an order; s. 235 in force at 12.1.2000 by S.I. 1999/3434, **art. 2**

Marginal Citations

- M1** 1993 c. 43.
M2 1986 c. 60.
M3 1986 c. 45.
M4 1974 c. 37.
M5 1968 c. 29.
M6 1973 c. 41.
M7 1974 c. 39.
M8 1979 c. 38.
M9 1980 c. 21.
M10 1984 c. 12.
M11 1986 c. 31.
M12 1986 c. 44.
M13 1986 c. 45.
M14 1987 c. 43.
M15 1989 c. 29.
M16 1991 c. 29.
M17 1991 c. 56.
M18 1991 c. 57.
M19 1993 c. 43.
M20 84/450/EEC

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