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Enterprise Act 2002

2002 CHAPTER 40

PART 9

INFORMATION

Restrictions on disclosure

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(1) Information is specified information if it comes to a public authority in connection with the exercise of any function it has under or by virtue of—

    (a) Part 1, 3, 4, 6, 7 or 8;

    (b) an enactment specified in Schedule 14;

    (c) such subordinate legislation as the Secretary of State may by order specify for the purposes of this subsection.

(2) It is immaterial whether information comes to a public authority before or after the passing of this Act.

(3) Public authority (except in the expression "overseas public authority") must be construed in accordance with section 6 of the Human Rights Act 1998 (c. 42).

(4) In subsection (1) the reference to an enactment includes a reference to an enactment contained in—

    (a) an Act of the Scottish Parliament;

    (b) Northern Ireland legislation;

    (c) subordinate legislation.

(5) The Secretary of State may by order amend Schedule 14.

(6) The power to make an order under subsection (5) includes power to add, vary or remove a reference to any provision of—

    (a) an Act of the Scottish Parliament;

    (b) Northern Ireland legislation.

(7) An order under this section must be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.

(8) This section applies for the purposes of this Part.

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