



Equality Act 2006

2006 CHAPTER 3

PART 1

THE COMMISSION FOR EQUALITY AND HUMAN RIGHTS

The Commission

6 Disclosure

- (1) A person who is or was a Commissioner, an Investigating Commissioner, an employee of the Commission or a member of a committee established by the Commission commits an offence if he discloses information to which this section applies unless subsection (3) authorises the disclosure.
- (2) This section applies to information acquired by the Commission—
 - (a) by way of representations made in relation to, or otherwise in the course of, an inquiry under section 16,
 - (b) by way of representations made in relation to, or otherwise in the course of, an investigation under section 20,
 - (c) by way of representations made in relation to, or otherwise in the course of, an assessment under section 31,
 - (d) by way of representations made in relation to, or otherwise in connection with, a notice under section 32, or
 - (e) from a person with whom the Commission enters into, or considers entering into, an agreement under section 23.
- (3) This subsection authorises a disclosure made—
 - (a) for the purpose of the exercise of a function of the Commission under any of sections 16, 20, 21, 24, 25, 31 and 32,
 - (b) in a report of an inquiry, investigation or assessment published by the Commission,
 - (c) in pursuance of an order of a court or tribunal,
 - (d) with the consent of each person to whom the disclosed information relates,

Status: This is the original version (as it was originally enacted).

- (e) in a manner that ensures that no person to whom the disclosed information relates can be identified,
 - (f) for the purpose of civil or criminal proceedings to which the Commission is party, or
 - (g) if the information was acquired by the Commission more than 70 years before the date of the disclosure.
- (4) But subsection (3) does not authorise, nor may the Commission make, a disclosure of information provided by or relating to an intelligence service unless the service has authorised the disclosure.
- (5) In subsection (4) “intelligence service” means—
- (a) the Security Service,
 - (b) the Secret Intelligence Service, and
 - (c) the Government Communications Headquarters.
- (6) A person guilty of an offence under subsection (1) shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.