



Welfare Reform Act 2007

2007 CHAPTER 5

PART 3

SOCIAL SECURITY ADMINISTRATION: GENERAL

Sharing of social security information

43 Unlawful disclosure of certain information

[^{F1}(1) A person to whom subsection (2) applies is guilty of an offence if he discloses without lawful authority any information—

- (a) which comes to him by virtue of section 42(1), (2) or (5), and
- (b) which relates to a particular person.

(2) This subsection applies to—

- (a) a person mentioned in section 42(4)(f) to (h);
- (b) a person who provides qualifying welfare services (within the meaning of section 42(6));
- (c) a person who is or has been a director, member of the committee of management, manager, secretary or other similar officer of a person mentioned in paragraph (a) or (b);
- (d) a person who is or has been an employee of a person mentioned in paragraph (a) or (b).

(3) A person guilty of an offence under this section shall be liable—

- (a) on conviction on indictment, to imprisonment for a term not exceeding 2 years or a fine or both, or
- (b) on summary conviction, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum or both.

(4) It is not an offence under this section—

Status: Point in time view as at 02/07/2012.

Changes to legislation: Welfare Reform Act 2007, Section 43 is up to date with all changes known to be in force on or before 17 June 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)

- (a) to disclose information in the form of a summary or collection of information so framed as not to enable information relating to any particular person to be ascertained from it;
 - (b) to disclose information which has previously been disclosed to the public with lawful authority.
- (5) It is a defence for a person charged with an offence under this section to prove that at the time of the alleged offence—
- (a) he believed that he was making the disclosure in question with lawful authority and had no reasonable cause to believe otherwise, or
 - (b) he believed that the information in question had previously been disclosed to the public with lawful authority and had no reasonable cause to believe otherwise.
- (6) A disclosure is made with lawful authority if it is so made for the purposes of section 123 of the Administration Act.
- (7) This section does not affect that section.
- (8) Until the commencement of section 282 of the Criminal Justice Act 2003 (c. 44) (increase in maximum term that may be imposed on summary conviction of offence triable either way) the reference in subsection (3)(b) to 12 months must be taken to be a reference to 6 months.]

Textual Amendments

- F1** S. 43 repealed (2.7.2012) by [Welfare Reform Act 2012 \(c. 5\)](#), ss. [133\(6\)\(a\)](#), [150\(3\)](#); S.I. 2012/1651, art. 2 (with art. 3)

Commencement Information

- I1** S. 43 in force at 1.9.2008 by [S.I. 2008/2101](#), art. [2\(2\)\(b\)](#)

Status:

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