



Mesothelioma Act 2014

2014 CHAPTER 1

Scheme administration

9 Unauthorised disclosure of information: penalties etc

- (1) A person guilty of an offence under section 8 is liable on conviction on indictment to imprisonment for a term not exceeding two years or a fine or both.
- (2) A person guilty of an offence under section 8 is liable—
 - (a) on summary conviction in England and Wales, to imprisonment for a term not exceeding 12 months or a fine;
 - (b) on summary conviction in Scotland, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum or both;
 - (c) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both.
- (3) The court by or before which a person is convicted of an offence under section 8 may order the destruction of a document containing the information disclosed in breach of that section or, if the information disclosed is held in some other form, may order its erasure.
- (4) Where an offence under section 8 committed by a body corporate—
 - (a) is committed with the consent or connivance of an officer, or
 - (b) is attributable to neglect on the part of an officer,the officer as well as the body corporate is guilty of the offence.
- (5) Where an offence under section 8 committed by a Scottish partnership—
 - (a) is committed with the consent or connivance of a partner, or
 - (b) is attributable to neglect on the part of a partner,the partner as well as the Scottish partnership is guilty of the offence.
- (6) In this section—

“director”, in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate;

Status: This is the original version (as it was originally enacted).

“officer”, in relation to a body corporate, means—

- (a) a director, manager, secretary or other similar officer of the body corporate, or
- (b) a person purporting to act in any such a capacity;

“partner”, in relation to a Scottish partnership, includes any person who was purporting to act as a partner in the partnership.

- (7) In relation to an offence committed in England and Wales before section 154(1) of the Criminal Justice Act 2003 comes into force, the reference in subsection (2)(a) above to “12 months” is to be read as a reference to “6 months”.
- (8) In relation to an offence committed in England and Wales before section 85 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 comes into force, the reference in subsection (2)(a) above to a fine is to be read as a reference to a fine not exceeding the statutory maximum.