



# Health and Care Act 2022

## 2022 CHAPTER 31

### PART 4

#### THE HEALTH SERVICES SAFETY INVESTIGATIONS BODY

##### *Protection of material held by the HSSIB*

#### **124 Offences of unlawful disclosure**

- (1) A person commits an offence if the person—
  - (a) breaches the prohibition in section 122(1) by knowingly or recklessly disclosing protected material to another person, and
  - (b) knows or suspects that the disclosure is prohibited.
- (2) An individual who was, but has ceased to be, connected with the HSSIB commits an offence if the individual—
  - (a) breaches the prohibition in section 122(5) by knowingly or recklessly disclosing any information, document, equipment or other thing to another person, and
  - (b) knows or suspects that the disclosure is prohibited.
- (3) Subsection (4) applies where protected material is disclosed to a person not connected with the HSSIB—
  - (a) in a draft report sent to the person under section 115(1),
  - (b) under paragraph 2, 3 or 4 of Schedule 14 (disclosures for purposes of an investigation, offence or safety risk), or
  - (c) under regulations under section 123(1)(c).
- (4) The person not connected with the HSSIB to whom protected material is disclosed as specified in subsection (3) commits an offence if the person—
  - (a) knowingly or recklessly discloses the protected material to another person without reasonable excuse, and
  - (b) knows or suspects that it is protected material.

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*Changes to legislation: There are currently no known outstanding effects for the Health and Care Act 2022, Section 124. (See end of Document for details)*

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- (5) A person who commits an offence under this section is liable on summary conviction to a fine.

**Commencement Information**

- I1** S. 124 not in force at Royal Assent, see **s. 186(6)**  
**I2** S. 124 in force at 1.10.2023 by **S.I. 2023/1035, reg. 2(a)**

**Changes to legislation:**

There are currently no known outstanding effects for the Health and Care Act 2022, Section 124.