



Defence Contracts Act 1958

1958 CHAPTER 38

2 Provision for use of other technical information by Crown contractors for production and supply of defence materials

- (1) For the purposes of any contract or order for the production of defence materials, any person authorised in that behalf by a competent authority may make use of any technical information to which this section applies of which he is in possession, and supply articles produced by means of the use of any such information, discharged—
 - (a) from any restriction imposed by any agreement to which he is party (whether made before or after the commencement of this Act); and
 - (b) from any obligation to make payments to any other person in pursuance of any such agreement in respect of the use or supply.
- (2) Any authorisation given for the purposes of subsection (1) of this section shall be given in writings and shall—
 - (a) describe the defence materials in connection with which the authorisation is given; and
 - (b) identify the restrictions or obligations from which the person to whom the authorisation is given is thereby discharged;and so much of any agreement (whether made before or after the commencement of this Act) as restricts the disclosure of terms of that or any other agreement shall be of no effect in relation to the disclosure to a competent authority of information required by that authority for the purpose of compliance with paragraph (b) of this subsection.
- (3) An authorisation given for the purposes of subsection (1) of this section may apply to things done before as well as after the date on which it is given.
- (4) Where any person is discharged by virtue of an authorisation under this section from the obligation to make payments in respect of the use of any technical information or the supply of any articles, so much of any agreement (whether made before or after the commencement of this Act) as provides for the making by any other person of payments in respect of the use of the information or the supply of articles of that description shall be of no effect in relation to any use or supply in respect of which the first-mentioned person is so discharged.

Status: This is the original version (as it was originally enacted).

- (5) Nothing in this section shall affect any restriction or obligation imposed by an agreement to which any Government department are party.
- (6) Nothing in this section or in any authorisation given thereunder shall be construed as authorising the disclosure to a competent authority or any other person of any technical information to which this section applies in contravention of any agreement.
- (7) The technical information to which this section applies is any specification or design for articles, and any process or technique used in the production of articles (not being in any case a patented invention or registered design), and any drawing, model, plan, document or other information relating to the application or operation of any such specification, design, process or technique; and references in this Act to the use of technical information include references—
 - (a) to the production of articles to any such specification or design, or by means of any such process or technique, as aforesaid; and
 - (b) to the reproduction of any such drawing, model, plan or document as aforesaid.