

SCHEDULE

Office of Fair Trading's Rules

Confidential information

6.—(1) Where a person who has supplied information to the OFT has made representations to the OFT identifying such information as being information that the OFT should treat as confidential information and the OFT proposes to disclose such information under these Rules, the OFT shall take all reasonable steps to—

- (a) inform that person of the OFT's proposed action; and
- (b) give that person a reasonable opportunity to make representations to the OFT on the OFT's proposed action.

(2) The OFT may at any time request a person who has supplied information to the OFT to make written representations to the OFT in respect of the information supplied—

- (a) identifying the information which that person considers the OFT should treat as confidential information; or
- (b) explaining why that person considers the OFT should treat the information as confidential information; or
- (c) on the matters referred to in both sub-paragraphs (a) and (b).

(3) If a person who has supplied information to the OFT makes written representations to the OFT in respect of the information supplied identifying the information which that person considers the OFT should treat as confidential information or explaining why he considers the OFT should treat the information as confidential information, whether or not such representations are made under this rule, the OFT may seek from that person such further clarification as the OFT considers is needed.

(4) If the OFT requests any person to make representations or to give further clarification under this rule, the OFT may specify the period within which such representations or further clarification should be made.

(5) For the purposes of this rule, where, in the OFT's opinion, information supplied to the OFT by any person relates to or originates from another person, that other person may be treated as a person who has supplied the information to the OFT.