
STATUTORY INSTRUMENTS

2017 No. 521

**The Gangmasters and Labour Abuse Authority
(Complaints and Misconduct) Regulations 2017**

PART 6

INVESTIGATIONS AND SUBSEQUENT PROCEEDINGS

Sensitive information: restriction on further disclosure

48.—(1) Where the Commission receives information within paragraph (2) under an information notice, it must not disclose (whether under regulation 7, 13 or 14 or otherwise) the information, or the fact that it has received it, unless the relevant authority consents to the disclosure.

(2) The information is—

- (a) intelligence service information;
- (b) protected information relating to a relevant warrant; or
- (c) information obtained (directly or indirectly) from a government department which, at the time it is provided to the Commission, is identified by the department as information the disclosure of which may, in the opinion of the relevant authority, cause damage to—
 - (i) national security or international relations; or
 - (ii) the economic interests of the United Kingdom or any part of the United Kingdom.

(3) Where the Commission discloses to another person information within paragraph (2), or the fact that it has received it, that person must not disclose that information or that fact unless the relevant authority consents to the disclosure.

(4) In this regulation—

“government department” means a department of Her Majesty’s Government but does not include—

- (a) the Security Service;
- (b) the Secret Intelligence Service; or
- (c) the Government Communications Headquarters (“GCHQ”);

“intelligence service information” means information which was obtained (directly or indirectly) from an intelligence service or which related to an intelligence service;

“intelligence service” means—

- (a) the Security Service;
- (b) the Secret Intelligence Service;
- (c) GCHQ; or

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- (d) any part of Her Majesty’s forces (within the meaning of the Armed Forces Act 2006(1)), or of the Ministry of Defence, which engages in intelligence activities;

“Minister of the Crown” includes the Treasury;

“protected information”, in relation to a relevant warrant, means information relating to any of the matters mentioned in section 57(4) of the Investigatory Powers Act 2016 in relation to the warrant;

“relevant authority” means—

- (a) in the case of intelligence service information obtained from the Security Service, the Director-General of the Security Service;
- (b) in the case of intelligence service information obtained from the Secret Intelligence Service, the Chief of the Secret Intelligence Service;
- (c) in the case of intelligence service information obtained from GCHQ, the Director of GCHQ;
- (d) in the case of intelligence service information obtained from any part of Her Majesty’s forces, or of the Ministry of Defence, which engages in intelligence activities, the Secretary of State;
- (e) in the case of protected information relating to a relevant warrant, the person to whom the warrant is or was addressed;
- (f) in the case of information within paragraph (2)(c)—
 - (i) the Secretary of State; or
 - (ii) the Minister of the Crown in charge of the government department from which the information was obtained (if that Minister is not a Secretary of State);

“relevant warrant” means—

- (a) a warrant under Chapter 1 of Part 2 of the Investigatory Powers Act 2016; or
- (b) a warrant under Chapter 1 of Part 6 of that Act.

Commencement Information

II Reg. 48 in force at 30.4.2017, see [reg. 1](#)

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Changes and effects yet to be applied to :

- Regulations word omitted by [S.I. 2017/1250 reg. 36\(3\)](#)
- Regulations words substituted by [S.I. 2017/1250 reg. 36\(2\)\(a\)](#)
- Regulations words substituted by [S.I. 2017/1250 reg. 36\(2\)\(b\)](#)
- Regulations words substituted by [S.I. 2017/1250 reg. 36\(2\)\(c\)](#)
- Regulations words substituted by [S.I. 2017/1250 reg. 36\(2\)\(d\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 6(3A) inserted by [S.I. 2017/1250 reg. 36\(7\)\(a\)](#)
- reg. 6A6B inserted by [S.I. 2017/1250 reg. 36\(8\)](#)
- reg. 7(6)(6A) substituted for reg. 7(6) by [S.I. 2017/1250 reg. 36\(9\)\(b\)](#)
- reg. 44(2)(2A) substituted for reg. 44(2) by [S.I. 2017/1250 reg. 36\(14\)\(a\)](#)
- reg. 67(2A)(2B) inserted by [S.I. 2017/1250 reg. 36\(18\)\(b\)](#)