STATUTORY INSTRUMENTS

# 2000 No. 1122

# GAS

# The Gas Act 1986 (General Restrictions on Disclosure of Information) (Modification) Order 2000

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| *Made - - - - -* | *18th April 2000* |
| *Laid before Parliament* | *19th April 2000* |
| *Coming into force - -* | *12th May 2000* |

The Secretary of State, in exercise of the power conferred upon him by section 42(3A) of the Gas Act 1986(**a**), hereby makes the following Order:—

**Citation and coming into force**

**1.** This Order may be cited as the Gas Act 1986 (General Restrictions on Disclosure of Information) (Modification) Order 2000 and shall come into force on 12th May 2000.

**Modifications**

**2.** Section 42(1A) of the Gas Act 1986(**b**) shall have effect subject to the following modifications—

(a) after paragraph (b), the "or" is omitted; and

(b) for paragraph (c), there is substituted—

"(c) the disclosure is made by a licence holder and is required by a condition of his licence; or

(d) the disclosure is made by one licence holder to another and is required by that other licence holder for purposes connected with the carrying on of relevant activities."

*Helen Liddell,*
Minister for Energy and Competitiveness in Europe,
Department of Trade and Industry

18th April 2000

(**a**) 1986 c. 44; subsection (3A) of section 42 was inserted by paragraph 50(2) of Schedule 3 to the Gas Act 1995 (c. 45).
(**b**) Subsection (1A) of section 42 was inserted by paragraph 50(1) of Schedule 3 to the Gas Act 1995.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

Section 42 of the Gas Act 1986 makes it a criminal offence for any person to disclose information which relates to the affairs of any individual or a particular business and which has been obtained under or by virtue of the provisions of Part I of the Act, unless the individual or business consents, or unless the disclosure is made in accordance with one of the exceptions in section 42(1A) to (3).

Section 42(3A) of the Gas Act 1986 gives the Secretary of State power to modify by order subsections (1A) to (3) of section 42. This Order modifies section 42(1A) of the Gas Act 1986, by substituting for paragraph (c) of subsection (1A) two new paragraphs (article 2). The effect is that licence holders may make disclosures of information which they have obtained under or by virtue of Part I of the Gas Act 1986, not only to other licence holders, but generally where this is required by a condition of their licence.

A regulatory impact assessment of the costs and benefits that will result from this Order will be available in the Libraries of the Houses of Parliament when the Order is laid before Parliament, and from the Energy Utilities Directorate, Department of Trade and Industry, Bay 166, 1 Victoria Street, London SW1H 0ET.

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