



Television Licences (Disclosure of Information) Act 2000

CHAPTER 15

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ELIZABETH II

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Television Licences (Disclosure of Information) Act 2000

2000 CHAPTER 15

An Act to make provision about the disclosure of certain information for purposes connected with television licences.

[20th July 2000]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) The Secretary of State and the Northern Ireland department may, at the request of the BBC, supply the BBC with social security information. Disclosure of information.

(2) For the purposes of subsection (1), the BBC includes any person providing the BBC with services in connection with television licences.

(3) In relation to the Secretary of State, “social security information” means information of a prescribed description held by him (or on his behalf) and obtained as a result, or for the purpose, of the exercise of functions of his in relation to social security or war pensions.

(4) In relation to the Northern Ireland department, “social security information” means information of a prescribed description held by the department (or on its behalf) and obtained as a result, or for the purpose, of the exercise of functions of the department in relation to social security.

2.—(1) Information provided under section 1 may be used only in connection with television licences for which no fee is payable or reduced-fee licences. Use to which information may be put.

(2) “Reduced-fee licences” means television licences—

- (a) for which a reduced fee is payable; and
- (b) which fall within a prescribed category.

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Offences.

3.—(1) A person to whom information is supplied under section 1 (“a recipient”) is guilty of an offence if, without lawful authority, he discloses that information.

(2) A person who is or has been employed by a recipient, or engaged in the provision of services to a recipient, is guilty of an offence if, without lawful authority, he discloses information supplied to the recipient under section 1.

(3) It is not an offence under this section—

- (a) to disclose information in the form of a summary or collection of information so framed as not to enable information supplied under section 1 relating to any particular person to be ascertained from it; or
- (b) to disclose information which has previously been disclosed to the public with lawful authority.

(4) It is a defence for a person charged with an offence under this section to prove that at the time of the alleged offence he believed—

- (a) that he was making the disclosure in question with lawful authority, or
- (b) that the information in question had previously been disclosed to the public with lawful authority,

and he had no reasonable cause to believe otherwise.

(5) For the purposes of this section, a disclosure is to be regarded as made with lawful authority if, but only if, it is made—

- (a) by a person exercising functions in relation to television licences and using the information in a way permitted by section 2;
- (b) in accordance with any enactment or order of a court;
- (c) for the purpose of instituting, or otherwise for the purposes of, proceedings before a court; or
- (d) with the consent of the person to whom the information relates or of any person authorised to act on that person’s behalf.

(6) A person guilty of an offence under this section is liable—

- (a) on summary conviction, to imprisonment for a term not exceeding six months or a fine not exceeding the statutory maximum or both; or
- (b) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine or both.

Liability of directors etc.

4.—(1) If an offence under section 3 committed by a body corporate is shown—

- (a) to have been committed with the consent or connivance of an officer, or
- (b) to be attributable to any neglect on his part,

the officer as well as the body corporate is guilty of the offence and liable to be proceeded against and punished accordingly.

(2) If the affairs of a body corporate are managed by its members, subsection (1) applies in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body.

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(3) “Officer”, in relation to a body corporate, means a director, member of the committee of management, chief executive, manager, secretary or other similar officer of the body, or a person purporting to act in any such capacity.

5. In this Act—

Interpretation.

“BBC” and “television licence” have the same meaning as in the Wireless Telegraphy Act 1949;

1949 c. 54.

“the Northern Ireland department” means the Department for Social Development;

“prescribed” means prescribed by order made by the Secretary of State;

“war pensions” has the same meaning as in section 25 of the Social Security Act 1989.

1989 c. 24.

6.—(1) An order under this Act must be made by statutory instrument.

Orders.

(2) Such an instrument shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(3) An order may make different provision in relation to different cases.

7.—(1) This Act may be cited as the Television Licences (Disclosure of Information) Act 2000.

Short title and extent.

(2) This Act extends to Northern Ireland.

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