



# Equality Act 2006

## 2006 CHAPTER 3

### PART 1

#### THE COMMISSION FOR EQUALITY AND HUMAN RIGHTS

##### *The Commission*

## 6 Disclosure

- (1) A person who is or was a Commissioner, an Investigating Commissioner, an employee of the Commission or a member of a committee established by the Commission commits an offence if he discloses information to which this section applies unless subsection (3) authorises the disclosure.
- (2) This section applies to information acquired by the Commission—
  - (a) by way of representations made in relation to, or otherwise in the course of, an inquiry under section 16,
  - (b) by way of representations made in relation to, or otherwise in the course of, an investigation under section 20,
  - (c) by way of representations made in relation to, or otherwise in the course of, an assessment under section 31,
  - (d) by way of representations made in relation to, or otherwise in connection with, a notice under section 32, or
  - (e) from a person with whom the Commission enters into, or considers entering into, an agreement under section 23.
- (3) This subsection authorises a disclosure made—
  - (a) for the purpose of the exercise of a function of the Commission under any of sections 16, 20, 21, 24, 25, 31 and 32,
  - (b) in a report of an inquiry, investigation or assessment published by the Commission,
  - (c) in pursuance of an order of a court or tribunal,
  - (d) with the consent of each person to whom the disclosed information relates,

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**Changes to legislation:** Equality Act 2006, Section 6 is up to date with all changes known to be in force on or before 06 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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- (e) in a manner that ensures that no person to whom the disclosed information relates can be identified,
  - (f) for the purpose of civil or criminal proceedings to which the Commission is party, or
  - (g) if the information was acquired by the Commission more than 70 years before the date of the disclosure.
- (4) But subsection (3) does not authorise, nor may the Commission make, a disclosure of information provided by or relating to an intelligence service unless the service has authorised the disclosure.
- (5) In subsection (4) “intelligence service” means—
- (a) the Security Service,
  - (b) the Secret Intelligence Service, and
  - (c) the Government Communications Headquarters.
- (6) A person guilty of an offence under subsection (1) shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

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

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

- s. 21(8) inserted by [2023 c. 51 s. 4\(2\)](#)
- s. 24A(1)(aa) inserted by [2023 c. 51 s. 4\(3\)](#)