
Status: This version of this provision is prospective.

Changes to legislation: Product Security and Telecommunications Infrastructure Act 2022, Section 48 is up to date with all changes known to be in force on or before 21 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



Product Security and Telecommunications Infrastructure Act 2022

2022 CHAPTER 46

PART 1

PRODUCT SECURITY

CHAPTER 3

ENFORCEMENT

Disclosure of information

PROSPECTIVE

48 Disclosure of information

- (1) The Secretary of State may disclose to a person any information obtained by the Secretary of State in connection with the Secretary of State's enforcement functions if the disclosure is made for a purpose connected with an enforcement function of the Secretary of State.
- (2) A person may disclose any information to the Secretary of State if the disclosure is made for the purposes of enabling or assisting the Secretary of State to exercise any enforcement function.
- (3) A disclosure of information authorised by this Chapter does not breach—
 - (a) any obligation of confidence owed by the person making the disclosure in relation to that information, or
 - (b) any other restriction on the disclosure of information (however imposed).
- (4) But nothing in this Chapter authorises either of the following—

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- (a) the making of a disclosure which would contravene the data protection legislation (but in determining whether a disclosure would do so, the powers conferred by this Chapter are to be taken into account);
 - (b) the making of a disclosure which is prohibited by any of Parts 1 to 7 or Chapter 1 of Part 9 of the Investigatory Powers Act 2016.
- (5) In this section “the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act).
- (6) Subsections (1) and (2) do not affect any power to disclose that exists apart from this section.
- (7) In Schedule 14 to the Enterprise Act 2002 (restrictions on disclosure of information: list of enactments under or by virtue of which information is obtained), at the appropriate place insert—
- “Part 1 of the Product Security and Telecommunications Infrastructure Act 2022.”

Commencement Information

II S. 48 not in force at Royal Assent, see [s. 79](#)

Status:

This version of this provision is prospective.

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 48 coming into force by [S.I. 2023/469 reg. 3](#)