1992 No. 46

STATISTICS OF TRADE

The Provision of Confidential Statistical Information to the Statistical Office of the European Communities (Restriction on Disclosure) Regulations (Northern Ireland) 1992

Made	*7th February 1992*
Coming into operation . .	*1st April 1992*

The Department of Finance and Personnel(**a**) being a Department designated(**b**) for the purposes of section 2(2) of the European Communities Act 1972(**c**) in relation to confidentiality of statistical information transmitted to the Statistical Office of the European Communities, in exercise of the powers conferred upon it by that section and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Provision of Confidential Statistical Information to the Statistical Office of the European Communities (Restriction on Disclosure) Regulations (Northern Ireland) 1992 and shall come into operation on 1st April 1992.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954(**d**) shall apply to these Regulations as it applies to a measure of the Northern Ireland Assembly.

(2) In these Regulations—

"confidential statistical information" means statistical information which has been—

(*a*) declared or classified as confidential in accordance with the laws or national practices of the member State providing it; and

(*b*) provided to the SOEC by a member State in accordance with Article 3 of Council Regulation (EURATOM, EEC) No. 1588/90 on the transmission of data subject to statistical confidentiality to the SOEC(**e**);

"the SOEC" means the Statistical Office of the European Communities.

(**a**) Formerly the Department of Finance. *See* S.I. 1982/338 (N.I. 6) Article 3
(**b**) S.I. 1991/2289
(**c**) 1972 c. 68, section 2 is subject to Schedule 2 to that Act and is to be read with S.I. 1984/703 (N.I. 3) and S.R. 1984 No. 253
(**d**) 1954 c. 33 (N.I.)
(**e**) O.J. No. L151, 15.6.90, p. 1

Offence to disclose without Authorisation

3. If any officer or employee of the SOEC or any individual who, under a contract for services with the SOEC, is required to carry out duties on the premises of the SOEC, knowingly or recklessly discloses confidential statistical information, without the authority of the member State which provided that information to the SOEC, that person shall be guilty of an offence and liable—

(*a*) on summary conviction, to imprisonment for a term not exceeding three months, or a fine not exceeding £2,000, or both; or

(*b*) on conviction on indictment, to imprisonment for a term not exceeding two years, or a fine, or both.

Sealed with the Official Seal of the Department of Finance and Personnel on 7th February 1992.

(L.S.) *Edgar F. Jardine*
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations implement Article 6 of Council Regulation (EURATOM, EEC) No. 1588/90 ("the Council Regulation") on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities ("the SOEC").

These Regulations make it an offence for an officer or employee of the SOEC or an individual working under a contract for services with the SOEC on its premises to knowingly or recklessly disclose statistical information which has been provided by a member State to the SOEC in accordance with Article 3 of the Council Regulation and which has been declared or classified as confidential by the member State in accordance with its law or national practice, without the authority of the member State which provided that information to the SOEC.

The offence is punishable on summary conviction by a term of imprisonment not exceeding three months, or a fine not exceeding £2,000, or both, or on conviction on indictment by a term of imprisonment not exceeding two years, or a fine, or both.