



National Security Act 2023

2023 CHAPTER 32

PART 2

PREVENTION AND INVESTIGATION MEASURES

Changes concerning [Part 2](#) notices

49 Revocation and revival of [Part 2](#) notices

- (1) The Secretary of State may by notice (a “revocation notice”) revoke a [Part 2](#) notice at any time.
- (2) The revocation of a [Part 2](#) notice takes effect when the revocation notice is served or, if different, at the time specified for this purpose in the revocation notice.
- (3) The individual to whom a [Part 2](#) notice relates may make an application to the Secretary of State for the revocation of the [Part 2](#) notice.
- (4) The Secretary of State must consider an application made under [subsection \(3\)](#).
- (5) The power under [subsection \(1\)](#) is exercisable whether or not an application has been made under [subsection \(3\)](#).
- (6) The Secretary of State may by notice (a “revival notice”) at any time revive a [Part 2](#) notice which—
 - (a) has expired—
 - (i) without being extended under [section 41\(2\)](#), or
 - (ii) having been extended under [section 41\(2\)](#) on fewer than four occasions, or
 - (b) has been revoked,if conditions A, C and D are met.
- (7) The power of revival may be exercised—

Changes to legislation: There are currently no known outstanding effects for the National Security Act 2023, Section 49. (See end of Document for details)

- (a) under [subsection \(6\)\(a\)](#) or [\(b\)](#) whether or not the [Part 2](#) notice has previously been revoked and revived, and
 - (b) under [subsection \(6\)\(b\)](#) whether or not the [Part 2](#) notice has been extended under [section 41\(2\)](#) (and regardless of how many times it has been so extended).
- (8) But the power of revival under [subsection \(6\)\(b\)](#) may not be exercised to revive a [Part 2](#) notice which the Secretary of State was required to revoke by directions given by the court in relevant proceedings.
- (9) A [Part 2](#) notice which is revived—
- (a) comes back into force when the revival notice is served or, if later, at the time specified for this purpose in the revival notice,
 - (b) is in force—
 - (i) for the period of one year (in a case where the revived notice had expired), or
 - (ii) for the period of time for which the [Part 2](#) notice would have continued in force if it had not been revoked (in a case where the revived notice had been revoked), and
 - (c) is treated as having been extended under [section 41\(2\)](#) on the same number of occasions (if any) as on which the revived notice had been so extended.

Commencement Information

- 11** S. 49 not in force at Royal Assent, see [s. 100\(1\)](#)
- 12** S. 49 in force at 20.12.2023 by [S.I. 2023/1272](#), [reg. 2\(b\)](#)

Changes to legislation:

There are currently no known outstanding effects for the National Security Act 2023, Section 49.