

Draft Regulations laid before Parliament under section 96(5) and (6)(e) of the National Security Act 2023, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2023 No.

NATIONAL SECURITY

**The National Security Act 2023 (Consequential
Amendments of Primary Legislation) Regulations 2023**

Made - - - -

Coming into force - - 20th December 2023

The Secretary of State makes these Regulations in exercise of the powers conferred by section 95 of the National Security Act 2023(1).

In accordance with section 96(5) and (6)(e) of that Act, a draft of these Regulations was laid before Parliament and approved by resolution of each House of Parliament.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the National Security Act 2023 (Consequential Amendments of Primary Legislation) Regulations 2023.

(2) These Regulations come into force on 20th December 2023.

(3) Subject to [paragraph \(4\)](#), these Regulations extend to England and Wales, Scotland and Northern Ireland.

(4) An amendment made by [the Schedule](#) has the same extent within the United Kingdom as the provision amended.

Amendments of primary legislation

2. The Schedule contains amendments of primary legislation.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument:
The National Security Act 2023 (Consequential Amendments of Primary Legislation) Regulations 2023 No. 1386

DATE

Name
Minister of State
Home Office

Schedule

Regulation 2

Amendments of primary legislation

Children and Young Persons Act 1933

1. In section 49(6) of the Children and Young Persons Act 1933(2)—
 - (a) omit the “or” at the end of paragraph (ba)(3);
 - (b) after paragraph (ba), insert—
 - “(bb) an offence under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023, or”.

Atomic Energy Authority Act 1954

2. In section 6(3) of the Atomic Energy Authority Act 1954(4)—
 - (a) for the words before paragraph (a), substitute “Where any place belonging to or used for the purposes of the Authority is a prohibited place within the meaning of Part 1 of the National Security Act 2023, no person other than—”;
 - (b) in the words after paragraph (c), for the words from “any place” to “aforesaid” substitute “that place”.

Parliamentary Commissioner Act 1967

3. In section 11(2)(b)(5) of the Parliamentary Commissioner Act 1967(6), after “1989” insert “or sections 1 to 4 or 18 of the National Security Act 2023”.

Local Government Act 1974

- 4.—(1) The Local Government Act 1974(7) is amended as follows.
 - (2) In section 32(2)(b), after “1939” insert “or sections 1 to 4 or 18 of the National Security Act 2023”.
 - (3) In section 34K(1)(d)(8), after “1989” insert “or sections 1 to 4 or 18 of the National Security Act 2023”.

Senior Courts Act 1981

5. In paragraph 2 of Schedule 1 to the Senior Courts Act 1981(9), after paragraph (bf)(10), insert—

(2) 1933 c. 12. Section 49 was substituted by section 49 of the Criminal Justice and Public Order Act 1994 (c. 33).

(3) Section 49(6)(ba) was inserted by section 23(1) of, and paragraph 1(a)(ii) of Schedule 4 to, the Counter-Terrorism and Border Security Act 2019 (c. 3).

(4) 1954 c. 32. Section 6(3)(bb) was inserted by section 2(3)(a) of the Nuclear Safeguards and Electricity (Finance) Act 1978 (c. 25), and amended by section 11(1) of the Nuclear Safeguards Act 2000 (c. 5). Section 6(3)(c) was amended by Paragraph 28 of Schedule 2 to the Scotland Act 1998 (Consequential Modifications) (No. 2) Order 11999/1820.

(5) Section 11(2)(b) was subject to relevant amendment by section 16(3) of, and paragraph 1(a) of Schedule 1 to, the Official Secrets Act 1989 (c. 6).

(6) 1967 c. 13.

(7) 1974 c. 7.

(8) Section 34K was inserted by section 35 of, and paragraph 2 of Schedule 5 to, the Health Act 2009 (c. 21).

(9) 1981 c. 54. The Supreme Court Act 1981 (c. 54) may be cited as the Senior Courts Act 1981 by virtue of section 59(5) of, and paragraph 1(1) of Schedule 11 to, the Constitutional Reform Act 2005 (c. 4).

(10) Paragraph 2(bf) was inserted by section 59(4) of, and paragraph 2 of Schedule 3 to, the Sanctions and Anti-Money Laundering Act 2018 (c. 13).

“(bg) all relevant proceedings within the meaning of Part 2 of the National Security Act 2023 (prevention and investigation measures) (see section 62(1) of that Act);”.

Civil Aviation Act 1982

6. In section 18 of the Civil Aviation Act 1982⁽¹¹⁾—
- (a) omit subsection (2);
 - (b) in subsection (3), for the words from “by virtue of subsection (2)” to the end, substitute “—
 - “(a) belongs to or is used for the purposes of the CAA, and
 - (b) is a prohibited place within the meaning of Part 1 of the National Security Act 2023.”.

Police and Criminal Evidence Act 1984

- 7.—(1) The Police and Criminal Evidence Act 1984⁽¹²⁾ is amended as follows.
- (2) In section 30⁽¹³⁾—
 - (a) omit the “or” at the end of paragraph (b);
 - (b) after paragraph (c)⁽¹³⁾, insert “; or
 - “(d) section 27 of and Schedule 6 to the National Security Act 2023.”.
 - (3) In section 51, after paragraph (ba)⁽¹⁴⁾, insert—
 - “(bb) the powers conferred by virtue of section 27 of and Schedule 6 to the National Security Act 2023;”.
 - (4) In section 62, after subsection (13)⁽¹⁵⁾, insert—
 - “(14) Nothing in this section applies to a person arrested or detained under section 27 of the National Security Act 2023; and subsection (1A) does not apply where the non-intimate samples mentioned in that subsection were taken under paragraph 10 of Schedule 6 to that Act.”.
 - (5) In section 63, after subsection (10)⁽¹⁶⁾, insert—
 - “(10A) Nothing in this section applies to a person arrested or detained under section 27 of the National Security Act 2023.”.
 - (6) In section 63PA⁽¹⁷⁾(4)—
 - (a) omit the “or” at the end of paragraph (b);
 - (b) after paragraph (c), insert—
 - “(d) paragraph 10 of Schedule 6 to the National Security Act 2023, or
 - (e) paragraph 1 of Schedule 12 to that Act.”.
 - (7) In section 118(2)(a)⁽¹⁸⁾, after “2000” insert “or section 27 of the National Security Act 2023”.

⁽¹¹⁾ 1982 c. 16.

⁽¹²⁾ 1984 c. 60.

⁽¹³⁾ Section 30(12)(c) was substituted by section 125(1) of, and paragraph 5(2) of Schedule 15 to, the Terrorism Act 2000 (c. 11).

⁽¹⁴⁾ Section 51(ba) was inserted by section 23(1) of, and paragraph 18(2)(b) of Schedule 4 to, the Counter-Terrorism and Border Security Act 2019 (c. 3).

⁽¹⁵⁾ Section 62(13) was inserted by section 23(1) of, and paragraph 18(7) of Schedule 4 to, the Counter-Terrorism and Border Security Act 2019 (c. 3).

⁽¹⁶⁾ Section 63(10) was substituted by section 125(1) of, and paragraph 5(9) of Schedule 15 to, the Terrorism Act 2000 (c. 11).

⁽¹⁷⁾ Section 63PA was inserted by section 19 of, and paragraph 4 of Schedule 2 to, the Counter-Terrorism and Border Security Act 2019 (c. 3).

⁽¹⁸⁾ Section 118(2)(a) was substituted by section 125 of, and paragraph 5(12) of Schedule 15 to, the Terrorism Act 2000 (c. 11).

Criminal Justice Act 1988

8. In section 133(5) of the Criminal Justice Act 1988⁽¹⁹⁾, after paragraph (g)⁽²⁰⁾, insert “or
“(h) on an appeal under Schedule 9 to the National Security Act 2023.”.

Police and Criminal Evidence (Northern Ireland) Order 1989

9.—(1) The Police and Criminal Evidence (Northern Ireland) Order 1989⁽²¹⁾ is amended as follows.

(2) In Article 2(3)(a)⁽²²⁾, after “2000” insert “or section 27 of the National Security Act 2023”.

(3) In Article 32(15)—

(a) omit the “or” at the end of sub-paragraph (a);

(b) after sub-paragraph (b)⁽²³⁾, insert “; or

“(c) section 27 of and Schedule 6 to the National Security Act 2023.”.

(4) In Article 51, after sub-paragraph (ba)⁽²⁴⁾, insert—

“(bb) the powers conferred by virtue of section 27 of and Schedule 6 to the National Security Act 2023;”.

(5) In Article 63D⁽²⁵⁾—

(a) in paragraph (1)(a)(i)⁽²⁶⁾, after “terrorism-related qualifying offence” insert “or a national security-related qualifying offence”;

(b) in paragraph (14), after the definition of “excluded offence” insert—

““national security-related qualifying offence” means—

(a) an offence under section 18 of the National Security Act 2023 or listed in section 33(3)(a) of that Act, or

(b) an ancillary offence, as defined by Article 53A(4), relating to an offence listed in section 33(3)(a) of that Act;”.

(6) In Article 63DA⁽²⁷⁾—

(a) in the heading after “offence” insert “or national security-related qualifying offence”;

(b) in paragraph (1)(a), after “terrorism-related qualifying offence” insert “or a national security-related qualifying offence”;

(c) in paragraph (4), after the definition of “excluded offence” insert—

““national security-related qualifying offence” means—

(a) an offence under section 18 of the National Security Act 2023 or listed in section 33(3)(a) of that Act, or

⁽¹⁹⁾ 1988 c. 33.

⁽²⁰⁾ Section 133(5)(g) was inserted by section 15(2)(b) of the Counter-Terrorism and Security Act 2015 (c. 6).

⁽²¹⁾ S.I. 1989/1341 (N.I. 12).

⁽²²⁾ Article 2(3)(a) was subject to relevant amendment by section 125 of, and paragraph 8(3) of Schedule 15 to, the Terrorism Act 2000 (c. 11).

⁽²³⁾ Article 32(15)(b) was substituted by section 125 of, and paragraph 8(7) of Schedule 15 to, the Terrorism Act 2000 (c. 11).

⁽²⁴⁾ Paragraph (ba) was inserted by section 23(1) of, and paragraph 20(2) of Schedule 4 to, the Counter-Terrorism and Border Security Act 2019 (c. 3).

⁽²⁵⁾ Article 63D was inserted by section 9(1) of, and paragraph 1 of Schedule 2 to, the Criminal Justice (Northern Ireland) Act 2013 (c. 7) (Article 63D is not yet in force).

⁽²⁶⁾ Article 63D(1)(a) was substituted by section 19 of, and paragraph 5(2)(a) of Schedule 2 to, the Counter-Terrorism and Border Security Act 2019 (c. 3).

⁽²⁷⁾ Article 63DA was inserted by section 19 of, and paragraph 5(3) of Schedule 2 to, the Counter-Terrorism and Border Security Act 2019 (c. 3) (Article 63DA is not yet in force).

- (b) an ancillary offence, as defined by Article 53A(4), relating to an offence listed in section 33(3)(a) of that Act.”.

Radioactive Substances Act 1993

10. In section 31(3) of the Radioactive Substances Act 1993(28), for the words from “have been declared” to the end substitute “are prohibited places within the meaning of Part 1 of the National Security Act 2023).”.

Health Service Commissioners Act 1993

11. In section 15(1)(b)(i) of the Health Service Commissioners Act 1993(29), after “1989” insert “or sections 1 to 4 or 18 of the National Security Act 2023”.

Statute Law (Repeals) Act 1993

12. In Schedule 2 to the Statute Law (Repeals) Act 1993(30), omit paragraph 21.

Pensions Act 1995

13. In section 92(4)(b) of the Pensions Act 1995(31)—

- (a) omit the “or” at the end of sub-paragraph (ii);
- (b) after sub-paragraph (ii), insert—

“(ia) offences under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023 for which the person has been sentenced on the same occasion to a term of imprisonment of, or to two or more consecutive terms amounting in the aggregate to, at least 10 years, or”.

Criminal Procedure (Scotland) Act 1995

14. In section 18G(1) of the Criminal Procedure (Scotland) Act 1995(32), in each of paragraphs (a) and (b)(33), after “2019” insert “or paragraph 18 of Schedule 6 to the National Security Act 2023”.

Environment Act 1995

15. In section 108(8) of the Environment Act 1995(34), for the words from “have been declared” to the end substitute “are prohibited places within the meaning of Part 1 of the National Security Act 2023).”.

Letchworth Garden City Heritage Foundation Act 1995

16. In Schedule 2 to the Letchworth Garden City Heritage Foundation Act 1995(35), in paragraph 13(2)(b), after “1989” insert “or sections 1 to 4 or 18 of the National Security Act 2023”.

(28) 1993 c. 12.

(29) 1993 c. 46.

(30) 1993 c. 50.

(31) 1995 c. 26.

(32) 1995 c. 46. Section 18G was inserted by section 19 of, and paragraph 6(3) of Schedule 1 to, the Protection of Freedoms Act 2012 (c. 9).

(33) Section 18G(1)(a) and (b) was subject to relevant amendment by section 23(1) of, and paragraph 22(2)(a) and (b) respectively of Schedule 4 to, the Counter-Terrorism and Border Security Act 2019 (c. 3).

(34) 1995 c. 25.

(35) 1995 c. ii.

Pensions (Northern Ireland) Order 1995

17. In Article 90(4)(b) of the Pensions (Northern Ireland) Order 1995(**36**)—

(a) omit the “or” at the end of paragraph (ii);

(b) after paragraph (ii), insert—

“(iia) offences under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023 for which the person has been sentenced on the same occasion to a term of imprisonment of, or to two or more consecutive terms amounting in the aggregate to, at least 10 years, or”.

Police Act 1997

18. In the Police Act 1997(**37**), in the Schedule 8A inserted by the Police Act 1997 and the Protection of Vulnerable Groups (Scotland) Act 2007 Remedial (No. 2) Order 2015 ([S.S.I. 2015/423](#))(**38**), after paragraph 36, insert—

“National security

36A. An offence under sections 1 to 4, 12, 13, 17 or 18 of the National Security Act 2023.”.

Terrorism Act 2000

19.—(1) Schedule 8 to the Terrorism Act 2000(**39**) is amended as follows.

(2) In paragraph 20A(6)(**40**), after paragraph (ea)(**41**), insert—

“(eb) any of the fingerprints, data or samples obtained under or by virtue of paragraph 10, 12 or 18 of Schedule 6 to the National Security Act 2023, or information derived from such samples,

(ec) any of the fingerprints, data or samples obtained under paragraph 1 or 4 of Schedule 12 to that Act, or information derived from such samples,”.

(3) In paragraph 20EA(3)(b)(**42**)—

(a) omit the “or” at the end of sub-paragraph (iv);

(b) omit the “or” at the end of sub-paragraph (v);

(c) after sub-paragraph (v), insert—

“(vi) paragraph 10 of Schedule 6 to the National Security Act 2023, or

(vii) paragraph 1 or 4 of Schedule 12 to that Act, or”.

Anti-Terrorism, Crime and Security Act 2001

20. In the Anti-Terrorism, Crime and Security Act 2001(**43**), omit section 80A(**44**).

(36) [S.I. 1995/3213 \(N.I. 22\)](#).

(37) [1997 c. 50](#).

(38) Schedule 8A was inserted by Article 3(8) of the Police Act 1997 and the Protection of Vulnerable Groups (Scotland) Act 2007 Remedial (No. 2) Order 2015 ([S.S.I. 2015/423](#)) (Schedule 8A is not currently in force).

(39) [2000 c. 11](#).

(40) Paragraph 20A was inserted by section 19 of, and paragraph 1(4) of Schedule 1 to, the Protection of Freedoms Act 2012 ([c. 9](#)).

(41) Paragraph 20A(6)(ea) was inserted by section 23(1) of, and paragraph 23(3) of Schedule 4 to, the Counter-Terrorism and Border Security Act 2019 ([c. 3](#)).

(42) Paragraph 20EA was inserted by section 19 of, and paragraph 11 of Schedule 2 to, the Counter-Terrorism and Border Security Act 2019 ([c. 3](#)).

(43) [2001 c. 24](#).

(44) Section 80A was inserted by section 101 of the Energy Act 2008 ([c. 32](#)).

Criminal Justice and Police Act 2001

- 21.**—(1) The Criminal Justice and Police Act 2001(45) is amended as follows.
- (2) In section 55, after subsection (6), insert—
- “(7) In relation to the powers of seizure mentioned in subsection (8), this section (and section 59(3)(c)) have effect as if—
- (a) references to excluded material or special procedure material were to confidential material within the meaning of Part 1 of Schedule 2 to the National Security Act 2023, but not including items subject to legal privilege, and
- (b) subsection (6) of this section did not apply.
- (8) The powers of seizure referred to in subsection (7) are the powers conferred by—
- (a) paragraph 2 of Schedule 2 to the National Security Act 2023, and
- (b) paragraph 12 of that Schedule, so far as conferred by reference to paragraph 2 of that Schedule.”.
- (3) In section 59(7)(b)—
- (a) omit the “or” at the end of sub-paragraph (iii);
- (b) after sub-paragraph (iv), insert “or
- “(v) paragraph 3 of Schedule 2 to the National Security Act 2023,”.
- (4) In section 60—
- (a) in subsection (6)—
- (i) omit the “and” at the end of paragraph (d);
- (ii) after paragraph (e), insert—
- “(f) the powers of seizure conferred by the provisions of paragraph 9 of Schedule 2 to the National Security Act 2023; and
- (g) the powers of seizure conferred by the provisions of paragraph 12 of that Schedule so far as conferred by reference to paragraph 9 of that Schedule.”;
- (b) after subsection (6), insert—
- “(6A) In relation to the powers of seizure mentioned in subsection (6B)—
- (a) subsection (3)(b)(ii) applies as if the reference to special procedure material or excluded material were to confidential material within the meaning of Part 1 of Schedule 2 to the National Security Act 2023, but not including items subject to legal privilege, and
- (b) subsection (5) of this section does not apply.
- (6B) The powers of seizure referred to in subsection (6A) are the powers conferred by—
- (a) paragraph 2 of Schedule 2 to the National Security Act 2023, and
- (b) paragraph 12 of that Schedule, so far as conferred by reference to paragraph 2 of that Schedule.”.
- (5) Omit section 66(3).
- (6) In Schedule 1—
- (a) omit paragraph 3 and the italic heading before it;

(45) 2001 c. 16.

- (b) after paragraph 73U(46), insert—
“National Security Act 2023 (c. 32)

73V. Each of the powers of seizure conferred by paragraphs 2, 9 and 12 of Schedule 2 to the National Security Act 2023.”;

- (c) after paragraph 83A(47), insert—
“National Security Act 2023 (c. 32)

83B. Each of the powers of seizure conferred by paragraphs 2, 9 and 12 of Schedule 2 to the National Security Act 2023.”;

- (d) omit paragraph 86 and the italic heading before it;

- (e) after paragraph 113(48), insert—
“National Security Act 2023 (c. 32)

(1) The power of seizure conferred by paragraph 2 of Schedule 2 to the National Security Act 2023.

(2) The power of seizure conferred by paragraph 12 of that Schedule, so far as conferred by reference to paragraph 2 of that Schedule.”.

Justice (Northern Ireland) Act 2002

- 22.** In Schedule 7 to the Justice (Northern Ireland) Act 2002(49), omit paragraph 24.

Police Reform Act 2002

- 23.** In paragraph 6 of Schedule 3B to the Police Reform Act 2002(50), for “the Official Secrets Acts 1911 to 1989” substitute “the National Security Act 2023”.

Communications Act 2003

- 24.** In Schedule 17 to the Communications Act 2003(51), omit paragraph 2 and the italic heading before it.

Armed Forces Act 2006

- 25.** In paragraph 12 of Schedule 2 to the Armed Forces Act 2006(52), after paragraph (az)(53), insert—

“(az1) an offence under section 1, 2, 3, 4, 12 or 18 of the National Security Act 2023.”.

Serious Crime Act 2007

- 26.** In Schedule 3 to the Serious Crime Act 2007(54)—

- (a) omit paragraph 7;
(b) at the end of Part 1, insert—

(46) Paragraph 73U was inserted by section 57 of the Police, Crime, Sentencing and Courts Act 2022 (c. 32).

(47) Paragraph 83A was inserted by section 165(3) of the Extradition Act 2003 (c. 41).

(48) Paragraph 113 was inserted by section 28(6)(b) of the Terrorism Act 2006 (c. 11).

(49) 2002 c. 26.

(50) 2002 c. 30. Schedule 3B was inserted by section 38(11) of, and Schedule 10 to, the Policing and Crime Act 2017 (c. 3).

(51) 2003 c. 21.

(52) 2006 c. 52.

(53) Paragraph 12(az) was inserted by section 67(1) of, and paragraph 28 of Schedule 12 to, the Space Industry Act 2018 (c. 5).

(54) 2007 c. 27.

“National Security Act 2023 (c. 32)

24C. An offence under section 18 of the National Security Act 2023.”.

Energy Act 2008

27. In the Energy Act 2008(**55**), omit section 101.

Counter-Terrorism Act 2008

28. In section 18(8) of the Counter-Terrorism Act 2008(**56**), after paragraph (k)(**57**), insert—
“(l) Part 4 of Schedule 6 to the National Security Act 2023;
(m) paragraphs 5 to 15 of Schedule 12 to that Act.”.

Terrorism Prevention and Investigation Measures Act 2011

29.—(1) Schedule 6 to the Terrorism Prevention and Investigation Measures Act 2011(**58**) is amended as follows.

(2) In paragraph 5, after paragraph (db)(**59**), insert—

- “(dc) any fingerprints or samples taken under paragraph 10 or 12 of Schedule 6 to the National Security Act 2023 or any information derived from such a sample,
- (dd) any relevant physical data taken or provided by virtue of paragraph 18 of that Schedule, any samples taken by virtue of that paragraph or any information derived from such a sample,
- (de) any fingerprints, data or samples obtained under paragraph 1 or 4 of Schedule 12 to that Act, or information derived from such samples,”.

(3) In paragraph 11A(3)(b)(**60**)—

- (a) omit the “or” at the end of sub-paragraph (iv);
- (b) omit the “or” at the end of sub-paragraph (v);
- (c) after sub-paragraph (v), insert—
 - “(vi) paragraph 10 of Schedule 6 to the National Security Act 2023, or
 - (vii) paragraph 1 or 4 of Schedule 12 to that Act, or”.

Public Services Ombudsman Act (Northern Ireland) 2016

30. In section 49(2)(f) of the Public Services Ombudsman Act (Northern Ireland) 2016(**61**), after “1989” insert “or sections 1 to 4 or 18 of the National Security Act 2023”.

(55) 2008 c. 32.

(56) 2008 c. 28. Section 18 was substituted by section 19 of, and paragraph 4 of Schedule 1 to, the Protection of Freedoms Act 2012 (c. 9).

(57) Section 18(8)(k) was inserted by section 23(1) of, and paragraph 26 of Schedule 4 to, the Counter-Terrorism and Border Security Act 2019 (c. 3).

(58) 2011 c. 23.

(59) Paragraph 5(db) was inserted by section 23(1) of, and paragraph 28 of Schedule 4 to, the Counter-Terrorism and Border Security Act 2019 (c. 3).

(60) Paragraph 11A was inserted by section 19 of, and paragraph 17 of Schedule 2 to, the Counter-Terrorism and Border Security Act 2019 (c. 3).

(61) 2016 c. 4.

Counter-Terrorism and Border Security Act 2019

31.—(1) Schedule 3 to the Counter-Terrorism and Border Security Act 2019⁽⁶²⁾ is amended as follows.

(2) In paragraph 43(6), after paragraph (f), insert—

“(fa) fingerprints or samples taken under paragraph 10 or 12 of Schedule 6 to the National Security Act 2023 or a DNA profile derived from a sample taken under one of those paragraphs,

(fb) any of the fingerprints, data or samples obtained under paragraph 1 or 4 of Schedule 12 to that Act, or information derived from such samples.”.

(3) In paragraph 47(3)(b)—

(a) omit the “or” at the end of sub-paragraph (iv);

(b) omit the “or” at the end of sub-paragraph (v);

(c) after sub-paragraph (v), insert—

“(vi) paragraph 10 of Schedule 6 to the National Security Act 2023, or

(vii) paragraph 1 or 4 of Schedule 12 to that Act, or”.

Public Services Ombudsman (Wales) Act 2019

32. In section 69(2)(g) of the Public Services Ombudsman (Wales) Act 2019⁽⁶³⁾, after “1989 (c. 6)” insert “, or under sections 1 to 4 or 18 of the National Security Act 2023 (c. 32)”.

Disclosure (Scotland) Act 2020

33. In Schedule 2 to the Disclosure (Scotland) Act 2020⁽⁶⁴⁾, after paragraph 70, insert—
“National security

70A. An offence under sections 1 to 4, 12, 13, 17 or 18 of the National Security Act 2023.”.

Nationality and Borders Act 2022

34. In section 63(3) of the Nationality and Borders Act 2022⁽⁶⁵⁾, after paragraph (d), insert—

“(da) the person is subject to a notice under Part 2 of the National Security Act 2023;

(db) there are reasonable grounds to suspect that the person is or has been involved in foreign power threat activity within the meaning given by section 33 of that Act (whether or not the foreign power threat activity is attributable to the person being, or having been, a victim of slavery or human trafficking);”.

⁽⁶²⁾ 2019 c. 3.

⁽⁶³⁾ 2019 anaw 3.

⁽⁶⁴⁾ 2020 asp 13 (Schedule 2 is not yet in force).

⁽⁶⁵⁾ 2022 c. 36.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument:
The National Security Act 2023 (Consequential Amendments of Primary Legislation) Regulations 2023 No. 1386

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make various amendments of primary legislation in consequence of the enactment of the National Security Act 2023 (c. 32) (“the 2023 Act”) and the repeal of the Official Secrets Acts 1911 (c. 28), 1920 (c. 75) and 1939 (c. 121).

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen. An impact assessment was produced for the 2023 Act, and is available on www.legislation.gov.uk. Hard copies of the impact assessment may be obtained by writing to the State Threats Unit, Homeland Security Group, Home Office, 2 Marsham Street SW1P 4DF.