



# National Security Act 2023

## 2023 CHAPTER 32

### PART 1

#### ESPIONAGE, SABOTAGE AND PERSONS ACTING FOR FOREIGN POWERS

##### *Espionage etc*

### 1 Obtaining or disclosing protected information

- (1) A person commits an offence if—
  - (a) the person—
    - (i) obtains, copies, records or retains protected information, or
    - (ii) discloses or provides access to protected information,
  - (b) the person's conduct is for a purpose that they know, or having regard to other matters known to them ought reasonably to know, is prejudicial to the safety or interests of the United Kingdom, and
  - (c) the foreign power condition is met in relation to the person's conduct (see section 31).
- (2) In [this section](#) “protected information” means any information, document or other article where, for the purpose of protecting the safety or interests of the United Kingdom—
  - (a) access to the information, document or other article is restricted in any way, or
  - (b) it is reasonable to expect that access to the information, document or other article would be restricted in any way.
- (3) [Subsection \(1\)](#) applies whether the person's conduct takes place in the United Kingdom or elsewhere.
- (4) A person who commits an offence under [this section](#) is liable on conviction on indictment to imprisonment for life or a fine (or both).
- (5) For the purposes of [this section](#)—

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*Changes to legislation: There are currently no known outstanding effects for the National Security Act 2023, Section 1. (See end of Document for details)*

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- (a) a person retains protected information if the person retains it in their possession or under their control;
- (b) disclosure includes parting with possession.

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**Commencement Information**

- I1** S. 1 not in force at Royal Assent, see **s. 100(1)**
- I2** S. 1 in force at 20.12.2023 by **S.I. 2023/1272, reg. 2(a)**

**Changes to legislation:**

There are currently no known outstanding effects for the National Security Act 2023, Section 1.