

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the National Security Act 2023, Paragraph 7. (See end of Document for details)

SCHEDULES

PROSPECTIVE

SCHEDULE 15

EXEMPTIONS

Employees etc

- 7 (1) Where an exemption is conferred on a person (“P”) by this Schedule, the following are also exempt (subject to sub-paragraph (2))—
- (a) a person who holds office in or under, or is an employee or other member of staff of, P (acting in that capacity), or
 - (b) a person the Secretary of State reasonably considers to be exercising functions on behalf of P as if the person were within paragraph (a).
- (2) Where P is a foreign power, the exemption does not apply to persons within sub-paragraph (1)(a) if or to the extent that the person makes a misrepresentation about their activities or the capacity in which they act (whether generally or to a particular person).
- (3) A misrepresentation is a representation that a reasonable person would consider to be false or misleading in a material way.
- (4) A misrepresentation may be made by making a statement or by any other kind of conduct (including an omission), and may be express or implied.
- (5) A misrepresentation may in particular include—
- (a) a misrepresentation as to the person’s identity or purpose;
 - (b) presenting information in a way which amounts to a misrepresentation, even if some or all of the information is true.

Commencement Information

II Sch. 15 para. 7 not in force at Royal Assent, see 100(1)

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