

Changes to legislation: There are currently no known outstanding effects for the National Security Act 2023, Paragraph 29. (See end of Document for details)

SCHEDULES

SCHEDULE 2

POWERS OF ENTRY, SEARCH AND SEIZURE

Modifications etc. (not altering text)

- C1** Sch. 2 applied (20.12.2023) by 1989 c. 6, s. 11(3) (as substituted by [National Security Act 2023 \(c. 32\)](#), s. 100(1), [Sch. 18 para. 6\(3\)\(a\)](#) (with s. 97); [S.I. 2023/1272](#), [reg. 2\(f\)](#))

PART 2

SCOTLAND

Urgent cases

- 29 (1) If a police officer of at least the rank of superintendent has reasonable grounds for believing that the case is one of great emergency the officer may by a written notice signed by them require any person specified in the notice to provide an explanation of any material seized in pursuance of an order under paragraph 27.
- (2) Paragraph 26(3) and (4) apply to a notice under [this paragraph](#) as they apply to an order under that paragraph.
- (3) A person who fails to comply with a notice under [this paragraph](#) commits an offence.
- (4) It is a defence for a person charged with an offence under [sub-paragraph \(3\)](#) to show that they had a reasonable excuse for their failure.
- (5) A person is taken to have shown that they had a reasonable excuse for their failure if—
- (a) sufficient evidence of that fact is adduced to raise an issue with respect to it, and
 - (b) the contrary is not proved beyond reasonable doubt.
- (6) A person guilty of an offence under [sub-paragraph \(3\)](#) is liable on summary conviction to imprisonment for a term not exceeding 6 months or a fine not exceeding level 5 on the standard scale (or both).

Commencement Information

- I1** Sch. 2 para. 29 not in force at Royal Assent, see 100(1)
- I2** [Sch. 2 para. 29](#) in force at 20.12.2023 by [S.I. 2023/1272](#), [reg. 2\(a\)](#)

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