



National Security Act 2023

2023 CHAPTER 32

PART 1

ESPIONAGE, SABOTAGE AND PERSONS ACTING FOR FOREIGN POWERS

Foreign interference

14 Foreign interference: meaning of “interference effect”

- (1) For the purposes of section 13 an “interference effect” means any of the following effects—
- (a) interfering with the exercise by a particular person of a Convention right in the United Kingdom,
 - (b) affecting the exercise by any person of their public functions,
 - (c) interfering with whether, or how, any person makes use of services provided in the exercise of public functions,
 - (d) interfering with whether, or how, any person (other than in the exercise of a public function) participates in relevant political processes or makes political decisions,
 - (e) interfering with whether, or how, any person (other than in the exercise of a public function) participates in legal processes under the law of the United Kingdom, or
 - (f) prejudicing the safety or interests of the United Kingdom.
- (2) An effect may be an interference effect whether it relates to a specific instance of a matter mentioned in subsection (1), or to the matter in general.
- (3) In subsection (1)(d) “relevant political processes” means—
- (a) an election or referendum in the United Kingdom,
 - (b) the proceedings of a local authority,
 - (c) the proceedings of a UK registered political party, or
 - (d) the activities of an informal group consisting of or including members of—

Status: Point in time view as at 20/12/2023.

Changes to legislation: There are currently no known outstanding effects for the National Security Act 2023, Section 14. (See end of Document for details)

- (i) one or both of Houses of Parliament,
 - (ii) the Northern Ireland Assembly,
 - (iii) the Scottish Parliament, or
 - (iv) Senedd Cymru,
- (acting in that capacity).

(4) In subsection (1)(d) “political decisions” means decisions of—

- (a) a Minister of the Crown (within the meaning of the Ministers of the Crown Act 1975) or a United Kingdom government department,
- (b) a Northern Ireland Minister, the First Minister in Northern Ireland, the deputy First Minister in Northern Ireland, a person appointed as a junior Minister under section 19 of the Northern Ireland Act 1998, a Northern Ireland department or the Executive Committee of the Northern Ireland Assembly,
- (c) the Scottish Ministers or the First Minister for Scotland,
- (d) the Welsh Ministers, the First Minister for Wales or the Counsel General to the Welsh Government, or
- (e) a local authority.

(5) In this section—

“Convention rights” has the meaning given by section 1 of the Human Rights Act 1998;

the “law of the United Kingdom” includes the law of any part of the United Kingdom;

“local authority” means—

- (a) in England—
 - (i) a county council;
 - (ii) a district council;
 - (iii) a London borough council;
 - (iv) a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;
 - (v) a parish council;
 - (vi) the Council of the Isles of Scilly;
 - (vii) the Common Council of the City of London;
 - (viii) the Sub-Treasurer of the Inner Temple;
 - (ix) the Under Treasurer of the Middle Temple;
- (b) in Wales, a county council, county borough council or community council;
- (c) in Scotland, a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994;
- (d) in Northern Ireland, a district council;

“public functions” means functions of a public nature—

- (a) exercisable in the United Kingdom, or
- (b) exercisable in a country or territory outside the United Kingdom by a person acting for or on behalf of, or holding office under, the Crown;

“UK registered political party” means a political party registered under Part 2 of the Political Parties, Elections and Referendums Act 2000.

Status: Point in time view as at 20/12/2023.

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Commencement Information

- I1** S. 14 not in force at Royal Assent, see **s. 100(1)**
- I2** S. 14 in force at 20.12.2023 by **S.I. 2023/1272, reg. 2(a)**

Status:

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