



National Security Act 2023

2023 CHAPTER 32

PART 1

ESPIONAGE, SABOTAGE AND PERSONS ACTING FOR FOREIGN POWERS

Acting for foreign power as aggravating factor in sentencing

22 Aggravating factor where foreign power condition met: armed forces

In section 238 of the Armed Forces Act 2006 (deciding the seriousness of an offence), at the end insert—

“(7) In section 69A of the Sentencing Code (seriousness of offence where foreign power condition met)—

- (a) the references in that section to a court are to be read as including a court dealing with an offender for a service offence, and
- (b) the reference in subsection (1)(b) to an offence which is not an offence listed in subsection (2) is to be taken as a reference to an offence under section 42 as respects which the corresponding offence under the law of England and Wales is not an offence so listed.”

Commencement Information

- I1** S. 22 not in force at Royal Assent, see **s. 100(1)**
- I2** S. 22 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 22.