



National Security Act 2023

2023 CHAPTER 32

PART 2

PREVENTION AND INVESTIGATION MEASURES

Changes concerning Part 2 notices

50 Replacement of a Part 2 notice that is quashed etc

- (1) This section applies if—
 - (a) a Part 2 notice, the extension of a Part 2 notice, or the revival of a Part 2 notice, is quashed in relevant proceedings, or
 - (b) a Part 2 notice is revoked by the Secretary of State in compliance with directions given by the court in relevant proceedings.
- (2) The replacement Part 2 notice is to be in force for the period of time for which the overturned notice would have continued in force but for the quashing or revocation.
- (3) The replacement Part 2 notice is to be treated as having been extended under section 41(2) on the same number of occasions (if any) as on which the overturned notice had been so extended (including any extension that was quashed).
- (4) Foreign power threat activity is to be treated as new foreign power threat activity in relation to the imposition of measures by the replacement Part 2 notice if it was new foreign power threat activity in relation to the imposition of measures by the overturned notice.
- (5) Foreign power threat activity that occurs after the coming into force of the overturned notice does not cease to be new foreign power threat activity by virtue of the coming into force of the replacement Part 2 notice.
- (6) Subsections (2) to (5) do not apply to the replacement notice if—
 - (a) some or all of the foreign power threat activity occurred after the overturned notice came into force, and

Status: This is the original version (as it was originally enacted).

(b) the Secretary of State determines that those subsections should not apply to that notice.

(7) In [this section](#)—

“new foreign power threat activity” has the same meaning as in [section 40](#);

“overturned notice” means the [Part 2](#) notice to which the quashing or revocation referred to in [subsection \(1\)](#) relates;

“replacement Part 2 notice” means the first [Part 2](#) notice to impose measures on the individual to whom the overturned notice relates after the quashing or revocation referred to in [subsection \(1\)](#).