



National Security Act 2023

2023 CHAPTER 32

PART 3

REVIEW OF THE OPERATION OF PARTS 1 AND 2 ETC

63 **Reviews: general**

- (1) The Secretary of State must appoint a person (the “independent reviewer”) to review the operation of—
 - (a) Part 1, except [section 30](#);
 - (b) Part 2;
 - (c) Schedule 3 to the Counter-Terrorism and Border Security Act 2019, except the functions of the Investigatory Powers Commissioner under Part 1 of that Schedule.
- (2) The independent reviewer—
 - (a) must carry out a review of the operation of those provisions for each calendar year (an “annual review”), and
 - (b) may carry out such other reviews of the operation of any of those provisions as they consider appropriate.
- (3) An annual review must be completed as soon as reasonably practicable after the calendar year to which it relates.
- (4) The independent reviewer must, by 31 January in each calendar year, inform the Secretary of State what (if any) reviews under subsection (2)(b) they intend to carry out in that year.
- (5) The independent reviewer must send to the Secretary of State a report on the outcome of each review carried out under this section as soon as reasonably practicable after completion of the review.
- (6) On receiving a report under this section, the Secretary of State must lay before Parliament—
 - (a) the report (but not any material removed under subsection (7)), and

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Changes to legislation: There are currently no known outstanding effects for the National Security Act 2023, Section 63. (See end of Document for details)

- (b) a statement as to whether any material has been removed under that subsection.
- (7) The Secretary of State may, after consulting the independent reviewer, remove from the report any material whose publication the Secretary of State thinks would be contrary to the public interest, or prejudicial to—
- (a) national security,
 - (b) the prevention or detection of crime,
 - (c) the economic well-being of the United Kingdom, or
 - (d) the continued discharge of the functions of any public authority whose activities include activities that are subject to review by the independent reviewer.
- (8) “Public authority” means a public authority within the meaning of section 6 of the Human Rights Act 1998, other than a court or tribunal.
- (9) The Secretary of State may pay to the independent reviewer—
- (a) expenses incurred in carrying out the functions of the reviewer under this section, and
 - (b) such allowances as the Secretary of State determines.

Commencement Information

- I1** S. 63 not in force at Royal Assent, see [s. 100\(1\)](#)
I2 S. 63 in force at 20.12.2023 by [S.I. 2023/1272](#), [reg. 2\(c\)](#)

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