



# National Security Act 2023

## 2023 CHAPTER 32

### PART 5

#### TERRORISM

##### *Legal aid*

PROSPECTIVE

#### **90 Legal aid for individuals convicted of terrorism offences: data sharing**

In the Legal Aid, Sentencing and Punishment of Offenders Act 2012, after section 9A (as inserted by section 89) insert—

##### **“9B Information relating to convictions for terrorism offences**

- (1) The Director may make an information request to a competent authority.
- (2) An information request under this section may be made only for the purpose of identifying—
  - (a) whether an individual who has applied for a determination under section 9 has been convicted of a terrorism offence, and
  - (b) if the individual has been so convicted, details relating to that conviction.
- (3) An information request under this section may in particular request the disclosure of any of the following—
  - (a) a relevant individual’s full name and any previous names;
  - (b) a relevant individual’s address and any previous addresses;
  - (c) a relevant individual’s date of birth;
  - (d) a relevant individual’s national insurance number;

*Status: Point in time view as at 20/12/2023. This version of this provision is prospective.*

*Changes to legislation: There are currently no known outstanding effects for the National Security Act 2023, Section 90. (See end of Document for details)*

- (e) a number identifying a relevant individual in a system maintained by a body established in accordance with a collaboration agreement under section 22A of the Police Act 1996;
  - (f) a number identifying a relevant individual in a system maintained by the Secretary of State for the management of offenders;
  - (g) any convictions of a relevant individual;
  - (h) any details relating to those convictions, including the date of conviction and any sentence imposed.
- (4) A competent authority may disclose to the Director information specified in an information request made under this section.
- (5) The Director may, for the purposes of deciding whether general case services are to be available to an individual under this Part, process any personal data in respect of a relevant individual disclosed by a competent authority to the Director under this section.
- (6) This section does not authorise the disclosure or processing of information if the disclosure or processing would contravene the data protection legislation (but, in determining whether a disclosure or processing would do so, the powers conferred by this section are to be taken into account).
- (7) In this section—
- “competent authority” has the same meaning as in section 30 of the Data Protection Act 2018;
  - “general case services” and “terrorism offence” have the same meanings as in section 9A;
  - “personal data”, “processing” and “the data protection legislation” have the same meanings as in section 3 of the Data Protection Act 2018;
  - “relevant individual” means—
    - (a) an individual who has applied for a determination under section 9, or
    - (b) an individual who has been convicted of a terrorism offence.”

#### Commencement Information

**II** S. 90 not in force at Royal Assent, see [s. 100\(1\)](#)

**Status:**

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**Changes to legislation:**

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