



Northern Ireland Troubles (Legacy and Reconciliation) Act 2023

2023 CHAPTER 41

PART 2

THE INDEPENDENT COMMISSION FOR RECONCILIATION AND INFORMATION RECOVERY

Information

34 Regulations about the holding and handling of information

- (1) The Secretary of State may, by regulations, make provision about the holding and handling of information by the ICRIR.
- (2) The regulations may (in particular)—
 - (a) make provision about notifications to be given by the ICRIR in respect of information held by the ICRIR;
 - (b) make provision about measures for holding and handling information securely (including physical, electronic, organisational or systemic measures);
 - (c) in relation to information which is to cease to be held by the ICRIR, make provision about the destruction or transfer of the information;
 - (d) make provision about guidance or consultation;
 - (e) confer functions on the Secretary of State or any other person (as well as on the ICRIR);
 - (f) create criminal offences.
- (3) The information about which the regulations may make provision includes information which (in accordance with Schedule 8)—
 - (a) the Commissioner for Investigations has identified as prejudicial information or sensitive information,
 - (b) a relevant authority has identified as, and notified the Commissioner for Investigations as being, prejudicial information or sensitive information, or

Changes to legislation: There are currently no known outstanding effects for the Northern Ireland Troubles (Legacy and Reconciliation) Act 2023, Section 34. (See end of Document for details)

- (c) the Secretary of State has identified as, and notified the Commissioner for Investigations as being, protected international information.
- (4) A criminal offence created under subsection (2)(f)—
 - (a) may only apply to the conduct of a person who is or has been—
 - (i) a Commissioner,
 - (ii) an ICRIR officer, or
 - (iii) an ICRIR contractor;
 - (b) may not impose a penalty that is greater than a penalty that may be imposed for an offence under Schedule 7.
- (5) Regulations under this section are subject to negative procedure.

Commencement Information

- I1** S. 34 not in force at Royal Assent, see **s. 63(4)**
- I2** S. 34 in force at 1.12.2023 by **S.I. 2023/1293, reg. 2(e)**

Changes to legislation:

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