

2023 No. 1267

NATIONAL SECURITY

**The National Security Act 2023 (Consequential Amendments of
Subordinate Legislation) Regulations 2023**

Made - - - -at 11.50 a.m. on 27th November 2023

Laid before Parliament at 4.00 p.m. on 27th November 2023

Coming into force - - - - 20th December 2023

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 95(1) and 96(1)(a) of the National Security Act 2023(a).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the National Security Act 2023 (Consequential Amendments of Subordinate Legislation) Regulations 2023.

(2) These Regulations come into force on 20th December 2023.

(3) Subject to paragraph (4), these Regulations extend to England and Wales, Scotland and Northern Ireland.

(4) An amendment made by the Schedule has the same extent within the United Kingdom as the provision amended.

Amendments of subordinate legislation

2. The Schedule contains amendments of subordinate legislation.

Tom Tugendhat
Minister of State
Home Office

At 11.50 a.m. on 27th November 2023

PART 1

Subordinate legislation relating to pensions and other similar schemes

Police Pensions Regulations 1987

1. In regulation K5(3)(b) of the Police Pensions Regulations 1987(a), after “1939” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

Royal Ulster Constabulary Pensions Regulations (Northern Ireland) 1988

2. In regulation K5(3)(b) of the Royal Ulster Constabulary Pensions Regulations 1988(b), after “1939” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

Firemen’s Pension Scheme Order 1992

3. In Part K of Schedule 2 to the Firemen’s Pension Scheme Order 1992(c), in rule K5(3)(b), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

Health and Personal Social Services (Superannuation) Regulations (Northern Ireland) 1995

4. In regulation 93(1)(c) of the Health and Personal Social Services (Superannuation) Regulations (Northern Ireland) 1995(d), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

National Health Service (Injury Benefits) Regulations 1995

5. In regulation 14(c) of the National Health Service (Injury Benefits) Regulations 1995(e), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

National Health Service Pension Scheme Regulations 1995

6. In regulation T6(1)(c) of the National Health Service Pension Scheme Regulations 1995(f), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

National Health Service (Scotland) (Injury Benefits) Regulations 1998

7. In regulation 14(c) of the National Health Service (Scotland) (Injury Benefits) Regulations 1998(g), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

(a) S.I. 1987/257.
(b) S.R. 1988 No. 374.
(c) S.I. 1992/129.
(d) S.R. 1995 No. 95.
(e) S.I. 1995/866.
(f) S.I. 1995/300.
(g) S.I. 1998/1594.

Teachers' Superannuation Regulations (Northern Ireland) 1998

8. In each of regulations E18(1)(b) and I5(1)(b) of the Teachers' Superannuation Regulations (Northern Ireland) 1998(a), after "1989" insert ", or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,".

Health and Personal Social Services (Injury Benefits) Regulations (Northern Ireland) 2001

9. In regulation 15(c) of the Health and Personal Social Services (Injury Benefits) Regulations (Northern Ireland) 2001(b), after "1989" insert ", or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,".

Armed Forces Pension Scheme Order 2005

10.—(1) Schedule 1 to the Armed Forces Pension Scheme Order 2005(c) is amended as follows.

(2) In Part J, in rule J.6(1)(a), after "1989" insert ", or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,".

(3) In each of the following provisions, for "Official Secrets Acts" substitute "other national security"—

- (a) Part D, rule D.17(9)(a);
- (b) Part E, rule E.28(3);
- (c) Part J, rule J.5(3).

Teachers' Superannuation (Scotland) Regulations 2005

11. In regulation E22(1)(b) of the Teachers' Superannuation (Scotland) Regulations 2005(d), after "1989" insert ", or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,".

Firefighters' Compensation Scheme (England) Order 2006

12. In Part 9 of Schedule 1 to the Firefighters' Compensation Scheme (England) Order 2006(e), in rule 4(3)(b), after "1989" insert ", or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,".

Firefighters' Compensation Scheme (Scotland) Order 2006

13. In Part 9 of Schedule 1 to the Firefighters' Compensation Scheme (Scotland) Order 2006(f), in rule 4(3)(b), after "1989" insert ", or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,".

Firefighters' Pension Scheme (England) Order 2006

14.—(1) Schedule 1 to the Firefighters' Pension Scheme (England) Order 2006(g) is amended as follows.

(2) In Part 9, in rule 5(3)(b), after "1989" insert ", or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,".

(a) S.R. 1998 No. 333. Regulation I5 was inserted by regulation 2(1) of, and paragraph 1 of Schedule 1 to, the Teachers' Superannuation Regulations (Northern Ireland) 1998 (S.R. 2001 No. 149).

(b) S.R. 2001 No. 367.

(c) S.I. 2005/438.

(d) S.S.I. 2005/393.

(e) S.I. 2006/1811.

(f) S.S.I. 2006/338.

(g) S.I. 2006/3432.

(3) In Part 15, in each of rules 1(8)(a) and 2(3)(a), for “offences under the Official Secrets Acts 1911 to 1989” substitute “other national security offences”.

Police (Injury Benefit) Regulations 2006

15. In regulation 40(3)(b) of the Police (Injury Benefit) Regulations 2006(a), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

Police Pensions Regulations 2006

16. In regulation 55(3)(b) of the Police Pensions Regulations 2006(b), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

Police Service of Northern Ireland and Police Service of Northern Ireland Reserve (Injury Benefit) Regulations 2006

17. In regulation 38(3)(b) of the Police Service of Northern Ireland and Police Service of Northern Ireland Reserve (Injury Benefit) Regulations 2006(c), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

Firefighters’ Compensation Scheme Order (Northern Ireland) 2007

18. In Part 9 of the Annex to the Firefighters’ Compensation Scheme Order (Northern Ireland) 2007(d), in rule 4(3)(b), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

Firefighters’ Compensation Scheme (Wales) Order 2007

19. In Part 9 of Schedule 1 to the Firefighters’ Compensation Scheme (Wales) Order 2007(e), in rule 4(3)(b), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

Firefighters’ Pension Scheme Order (Northern Ireland) 2007

20. In Part L of the Annex to the Firefighters’ Pension Scheme Order (Northern Ireland) 2007(f), in article 84(3)(b), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

Firefighters’ Pension Scheme (Scotland) Order 2007

21.—(1) Schedule 1 to the Firefighters’ Pension Scheme (Scotland) Order 2007(g) is amended as follows.

(2) In Part 9, in rule 5(3)(b), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

(3) In Part 14, in each of rules 1(8)(a) and 2(3)(a), for “offences under the Official Secrets Acts 1911 to 1989” substitute “other national security offences”.

(a) S.I. 2006/932.
(b) S.I. 2006/3415.
(c) S.R. 2006 No. 268.
(d) S.R. 2007 No. 143.
(e) S.I. 2007/1073 (W. 111).
(f) S.R. 2007 No. 144.
(g) S.S.I. 2007/199.

Firefighters' Pension Scheme (Wales) Order 2007

22.—(1) Schedule 1 to the Firefighters' Pension Scheme (Wales) Order 2007(a) is amended as follows.

(2) In Part 9, in rule 5(3)(b), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

(3) In Part 15, in each of rules 1(8)(a) and 2(3)(a), for “offences under the Official Secrets Acts 1911 to 1989” substitute “other national security offences”.

New Firefighters' Pension Scheme Order (Northern Ireland) 2007

23.—(1) The Annex to the New Firefighters' Pension Scheme Order (Northern Ireland) 2007(b) is amended as follows.

(2) In Part 9, article 54(3)(b), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

(3) In Part 15, in each of articles 100(8)(a) and 101(3)(a), for “offences under the Official Secrets Acts 1911 to 1989” substitute “other national security offences”.

Police (Injury Benefit) (Scotland) Regulations 2007

24. In regulation 40(3)(b) of the Police (Injury Benefit) (Scotland) Regulations 2007(c), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

Police Pensions (Scotland) Regulations 2007

25. In regulation 55(3)(b) of the Police Pensions (Scotland) Regulations 2007(d), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

Health and Social Care (Pension Scheme) Regulations (Northern Ireland) 2008

26. In each of regulations 130(2)(b) and 254(2)(b) of the Health and Social Care (Pension Scheme) Regulations (Northern Ireland) 2008(e), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

National Health Service Pension Scheme Regulations 2008

27.—(1) The National Health Service Pension Scheme Regulations 2008(f) are amended as follows.

(2) In each of regulations 2.J.7 and 3.J.7, in paragraph (2)(b), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

(3) In each of regulations 2.D.22 and 3.D.18, in paragraph (9)(a)(ii), omit “(Official Secrets Acts offences)”.

(4) In each of regulations 2.E.26 and 3.E.26, in paragraph (3)(b)(g), omit “under the Official Secrets Acts 1911 to 1989”.

(a) S.I. 2007/1072 (W. 110).

(b) S.R. 2007 No. 215.

(c) S.S.I. 2007/68.

(d) S.S.I. 2007/201.

(e) S.R. 2008 No. 256.

(f) S.I. 2008/653.

(g) Regulation 2.E.26(3) was substituted by regulation 30 of the National Health Service Pension Scheme, Injury Benefits and Additional Voluntary Contributions (Amendment) Regulations 2016 (S.I. 2016/245). Regulation 3.E.26(3) was substituted by regulation 50 of the same Regulations.

Police Pension (Northern Ireland) Regulations 2009

28. In regulation 52(3)(b) of the Police Pension (Northern Ireland) Regulations 2009(a), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

Teachers’ Pensions Regulations 2010

29. In regulation 121(1)(b) of the Teachers’ Pensions Regulations 2010(b), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

National Health Service Superannuation Scheme (Scotland) Regulations 2011

30. In regulation T7(1)(c) of the National Health Service Superannuation Scheme (Scotland) Regulations 2011(c), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

Local Government Pension Scheme Regulations 2013

31. In regulation 95(2)(b) of the Local Government Pension Scheme Regulations 2013(d), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

National Health Service Superannuation Scheme (2008 Section) (Scotland) Regulations 2013

32.—(1) The National Health Service Superannuation Scheme (2008 Section) (Scotland) Regulations 2013(e) are amended as follows.

(2) In each of regulations 2.J.8 and 3.J.8, in paragraph (2)(b), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

(3) In each of regulations 2.E.27 and 3.E.27, in paragraph (3)(b)(f), omit “under the Official Secrets Acts 1911 to 1989”.

Armed Forces Pension Regulations 2014

33.—(1) The Armed Forces Pension Regulations 2014(g) are amended as follows.

(2) In regulation 122(1)(a), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

(3) In regulation 121(3), for “Official Secrets Acts” substitute “other national security”.

Firefighters’ Pension Scheme (England) Regulations 2014

34.—(1) The Firefighters’ Pension Scheme (England) Regulations 2014(h) are amended as follows.

(2) In regulation 171(5), in paragraph (b) of the definition of “relevant offence”, after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

(3) In each of regulations 83(5)(a)(ii) and 166(9)(a)(ii), omit “(Official Secrets Acts offences)”.

(a) S.R. 2009 No. 79.

(b) S.I. 2010/990.

(c) S.S.I. 2011/117.

(d) S.I. 2013/2356.

(e) S.S.I. 2013/174.

(f) Regulation 2.E.27(3) was substituted by regulation 25 of the National Health Service Superannuation Scheme (Miscellaneous Amendments) (Scotland) Regulations 2017 (S.S.I. 2017/27). Regulation 3.E.27(3) was substituted by regulation 40 of the same Regulations.

(g) S.I. 2014/2336.

(h) S.I. 2014/2848.

Local Government Pension Scheme Regulations (Northern Ireland) 2014

35. In regulation 106(2)(b) of the Local Government Pension Scheme Regulations (Northern Ireland) 2014(a), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

Public Service (Civil Servants and Others) Pensions Regulations 2014

36.—(1) The Public Service (Civil Servants and Others) Pensions Regulations 2014(b) are amended as follows.

(2) In regulation 165(4), in paragraph (a) of the definition of “relevant offence”, after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

(3) In each of regulations 120(5)(b) and 164(9)(a)(ii), after “1989” insert “or an applicable offence under the National Security Act 2023”.

Public Service (Civil Servants and Others) Pensions Regulations (Northern Ireland) 2014

37.—(1) The Public Service (Civil Servants and Others) Pensions Regulations (Northern Ireland) 2014(c) are amended as follows.

(2) In regulation 165(4), in paragraph (a)(d) of the definition of “relevant offence”, after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

(3) In each of regulations 120(5)(b) and 164(9)(a)(ii), after “1989” insert “or an applicable offence under the National Security Act 2023”.

Teachers’ Pension Scheme Regulations 2014

38. In regulation 181(3)(b) of the Teachers’ Pension Scheme Regulations 2014(e), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

Teachers’ Pension Scheme Regulations (Northern Ireland) 2014

39. In regulation 181(3)(b) of the Teachers’ Pension Scheme Regulations (Northern Ireland) 2014(f), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

Teachers’ Pension Scheme (Scotland) (No. 2) Regulations 2014

40. In regulation 175(1)(b) of the Teachers’ Pension Scheme (Scotland) (No. 2) Regulations 2014(g), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

Firefighters’ Pension Scheme Regulations (Northern Ireland) 2015

41.—(1) The Firefighters’ Pension Scheme Regulations (Northern Ireland) 2015(h) are amended as follows.

(2) In regulation 173(5), in paragraph (b) of the definition of “relevant offence”, after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

(a) S.R. 2014 No. 188.
(b) S.I. 2014/1964.
(c) S.R. 2014 No. 290.
(d) Regulation 165(4)(c) was renumbered as regulation 165(4)(a) by regulation 52(c) of the Public Service (Civil Servants and Others) Pensions (Amendment) Regulations (Northern Ireland) 2022 (S.R. 2022 No. 67).
(e) S.I. 2014/512.
(f) S.R. 2014 No. 310.
(g) S.S.I. 2014/292.
(h) S.R. 2015 No. 78.

(3) In each of regulations 91(5)(a)(ii) and 168(9)(a)(ii), omit “(Official Secrets Acts offences)”.

Firefighters’ Pension Scheme (Scotland) Regulations 2015

42.—(1) The Firefighters’ Pension Scheme (Scotland) Regulations 2015(a) are amended as follows.

(2) In regulation 161(5), in paragraph (b) of the definition of “relevant offence”, after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

(3) In each of regulations 83(5)(a)(ii) and 156(9)(a)(ii), omit “(Official Secrets Acts offences)”.

Firefighters’ Pension Scheme (Wales) Regulations 2015

43.—(1) The Firefighters’ Pension Scheme (Wales) Regulations 2015(b) are amended as follows.

(2) In regulation 181(5), in paragraph (b) of the definition of “relevant offence”, after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

(3) In each of regulations 92(5)(a)(ii) and 176(9)(a)(ii), omit “(Official Secrets Acts offences)”.

Health and Social Care Pension Scheme Regulations (Northern Ireland) 2015

44.—(1) The Health and Social Care Pension Scheme Regulations (Northern Ireland) 2015(c) are amended as follows.

(2) In Part 4 of Schedule 3, in paragraph 12(2)(b), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

(3) In regulation 109(10)(a)(ii), omit “(Official Secrets Acts offences)”.

Judicial Pensions Regulations 2015

45.—(1) The Judicial Pensions Regulations 2015(d) are amended as follows.

(2) In regulation 151(4), in paragraph (a) of the definition of “relevant offence”, after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

(3) In each of regulations 110(3)(b) and 150(9)(a)(ii), after “1989” insert “or an applicable offence under the National Security Act 2023”.

Judicial Pensions Regulations (Northern Ireland) 2015

46.—(1) The Judicial Pensions Regulations (Northern Ireland) 2015(e) are amended as follows.

(2) In regulation 151(4), in paragraph (a) of the definition of “relevant offence”, after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

(3) In each of regulations 110(3)(b) and 150(9)(a)(ii), after “1989” insert “or an applicable offence under the National Security Act 2023”.

National Health Service Pension Scheme Regulations 2015

47.—(1) The National Health Service Pension Scheme Regulations 2015(f) are amended as follows.

(a) S.S.I. 2015/19.
(b) S.I. 2015/622 (W. 50).
(c) S.R. 2015 No. 120.
(d) S.I. 2015/182.
(e) S.R. 2015 No. 76.
(f) S.I. 2015/94.

(2) In Part 4 of Schedule 3, in paragraph 12(2)(b), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

(3) In regulation 110(10)(a)(ii), omit “(Official Secrets Acts offences)”.

National Health Service Pension Scheme (Scotland) Regulations 2015

48.—(1) The National Health Service Pension Scheme (Scotland) Regulations 2015(a) are amended as follows.

(2) In Part 4 of Schedule 3, in paragraph 12(2)(b), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

(3) In regulation 109(10)(a)(ii), omit “(Official Secrets Acts offences)”.

Occupational Pension Schemes (Schemes that were Contracted-out) (No. 2) Regulations 2015

49. In regulation 26(2)(a)(ii) of the Occupational Pension Schemes (Schemes that were Contracted-out) (No. 2) Regulations 2015(b), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

Police Pensions Regulations 2015

50.—(1) The Police Pensions Regulations 2015(c) are amended as follows.

(2) In regulation 211(5), in paragraph (a) of the definition of “relevant offence”, after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

(3) In each of regulations 151(7)(b) and regulation 204(1)(a)(ii), after “1989” insert “or an applicable offence under the National Security Act 2023”.

Police Pensions Regulations (Northern Ireland) 2015

51.—(1) The Police Pensions Regulations (Northern Ireland) 2015(d) are amended as follows.

(2) In regulation 209(4), in the definition of “relevant offence” provided by paragraph (c), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

(3) In each of regulations 150(7)(b) and regulation 203(1)(a)(ii), after “1989” insert “or an applicable offence under the National Security Act 2023”.

Police Pension Scheme (Scotland) Regulations 2015

52.—(1) The Police Pension Scheme (Scotland) Regulations 2015(e) are amended as follows.

(2) In regulation 201(4), in paragraph (a) of the definition of “relevant offence”, after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

(3) In each of regulations 141(7)(b) and regulation 194(1)(a)(ii), after “1989” insert “or an applicable offence under the National Security Act 2023”.

(a) S.S.I. 2015/94.
(b) S.I. 2015/1677.
(c) S.I. 2015/445.
(d) S.R. 2015 No. 113.
(e) S.S.I. 2015/142.

Occupational Pension Schemes (Schemes that were Contracted-out) Regulations (Northern Ireland) 2016

53. In regulation 17(2)(a)(ii) of the Occupational Pension Schemes (Schemes that were Contracted-out) Regulations (Northern Ireland) 2016(a), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

Local Government Pension Scheme (Scotland) Regulations 2018

54. In regulation 89(2)(b) of the Local Government Pension Scheme (Scotland) Regulations 2018(b), after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

Judicial Pensions Regulations 2022

55. In regulation 123(2) of the Judicial Pensions Regulations 2022(c), in paragraph (a) of the definition of “relevant offence”, after “1989” insert “, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,”.

Part 2

Other subordinate legislation

Hovercraft (Application of Enactments) Order 1972

56. In Part A of Schedule 1 to the Hovercraft (Application of Enactments) Order 1972(d), omit the entry relating to the Official Secrets Acts 1911 and 1920(e).

REACH Enforcement Regulations 2008

57. In Part 1 of Schedule 6 to the REACH Enforcement Regulations 2008(f), in paragraph 4, for the words from “where they have been declared” to the end, substitute “that are prohibited places within the meaning of Part 1 of the National Security Act 2023.”

Civil Legal Services (Financial) Regulations (Northern Ireland) 2015

58.—(1) Regulation 4 of the Civil Legal Services (Financial) Regulations (Northern Ireland) 2015(g) is amended as follows.

(2) In paragraph (1)—

(a) after sub-paragraph (j), insert—

“(ja) civil legal services to the extent that the services consist of—

- (i) advice and assistance or representation for an individual who is the subject of an application for permission under section 42 of the National Security Act 2023, in respect of such an application;
- (ii) advice and assistance in connection with a notice under section 39(1) of that Act (a “Part 2 notice”) for an individual who is subject to that notice;

(a) S.R. 2016 No. 107.

(b) S.S.I. 2018/141.

(c) S.I. 2022/319.

(d) S.I. 1972/971.

(e) 1911 c. 28 and 1920 c. 75.

(f) S.I. 2008/2852.

(g) S.R. 2015 No. 196.

- (iii) advice and assistance for an individual who is subject to a Part 2 notice, in respect of an application—
 - (aa) to vary measures specified in that notice under section 48(4) of that Act;
 - (bb) for revocation of that notice in accordance with section 49(3) of that Act;
 - (cc) for permission under Part 2 of Schedule 7 to that Act; or
 - (dd) representation in respect of relevant proceedings for an individual who is subject to a Part 2 notice;”;
- (b) after sub-paragraph (o)(a), insert—
 - “(p) representation of a client who is the subject of proceedings under paragraph 37 or 44 of Schedule 6 to the National Security Act 2023.”.
- (3) In paragraph (3), after the entry for “the Maintenance Orders (Reciprocal Enforcement) Act 1972”, insert—
 - ““relevant proceedings” are the proceedings listed at paragraphs (b) to (g) of the definition of “relevant proceedings” given in section 62(1) of the National Security Act 2023;”.

Greenhouse Gas Emissions Trading Scheme Order 2020

59. In each of Articles 39(5)(a) and 40(3)(a) of the Greenhouse Gas Emissions Trading Scheme Order 2020**(b)**, for “for the purposes of the Official Secrets Act 1911” substitute “within the meaning of Part 1 of the National Security Act 2023”.

Air Navigation (Carbon Offsetting and Reduction Scheme for International Aviation) Order 2021

60. In each of Articles 46(5)(a) and 47(3)(a) of the Air Navigation (Carbon Offsetting and Reduction Scheme for International Aviation) Order 2021**(c)**, for “for the purposes of the Official Secrets Act 1911” substitute “within the meaning of Part 1 of the National Security Act 2023”.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make various amendments of subordinate legislation in consequence of the enactment of the National Security Act 2023 (c. 32) (“the 2023 Act”) and the repeal of the Official Secrets Acts 1911 (c. 28), 1920 (c. 75) and 1939 (c. 121).

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen. An impact assessment was produced for the 2023 Act and is available on www.legislation.gov.uk. Hard copies of the impact assessment may be obtained by writing to the State Threats Unit, Homeland Security Group, Home Office, 2 Marsham Street SW1P 4DF.

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- (a) Paragraph (o) was inserted by section 56(15)(a) of the Illegal Migration Act 2023 (c. 37) (section 56 and the amendment it makes will take effect from a date to be appointed).
 - (b) S.I. 2020/1265.
 - (c) S.I. 2021/534.

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