



Security Service Act 1989

1989 CHAPTER 5

An Act to place the Security Service on a statutory basis; to enable certain actions to be taken on the authority of warrants issued by the Secretary of State, with provision for the issue of such warrants to be kept under review by a Commissioner; to establish a procedure for the investigation by a Tribunal or, in some cases, by the Commissioner of complaints about the Service; and for connected purposes. [27th April 1989]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 The Security Service.

- (1) There shall continue to be a Security Service (in this Act referred to as “the Service”) under the authority of the Secretary of State.
- (2) The function of the Service shall be the protection of national security and, in particular, its protection against threats from espionage, terrorism and sabotage, from the activities of agents of foreign powers and from actions intended to overthrow or undermine parliamentary democracy by political, industrial or violent means.
- (3) It shall also be the function of the Service to safeguard the economic well-being of the United Kingdom against threats posed by the actions or intentions of persons outside the British Islands.
- [^{F1}(4) It shall also be the function of the Service to act in support of the activities of police forces [^{F2}, the National Criminal Intelligence Service, the National Crime Squad] and other law enforcement agencies in the prevention and detection of serious crime.]
- [^{F3}(5) Section 81(5) of the Regulation of Investigatory Powers Act 2000 (meaning of “prevention” and “detection”), so far as it relates to serious crime, shall apply for the purposes of this Act as it applies for the purposes of the provisions of that Act not contained in Chapter I of Part I.]

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Security Service Act 1989. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Annotations:

Amendments (Textual)

- F1** S. 1(4) added (14.10.1996) by 1996 c. 35, s. 1(1); S.I. 1996/2454, art. 2
- F2** Words in s. 1(4) inserted (1.4.1998) by 1997 c. 50, s. 134(1), Sch. 9 para. 60; S.I. 1998/354, art. 2(2)(ay)(bb)
- F3** S. 1(5) inserted (25.9.2000) by 2000 c. 23, s. 82(1), Sch. 4 para. 4(1) (with s.82(3)); S.I. 2000/2543, art. 2

2 The Director-General.

- (1) The operations of the Service shall continue to be under the control of a Director-General appointed by the Secretary of State.
- (2) The Director-General shall be responsible for the efficiency of the Service and it shall be his duty to ensure—
 - (a) that there are arrangements for securing that no information is obtained by the Service except so far as necessary for the proper discharge of its functions or disclosed by it except so far as necessary for that purpose or for the purpose of [F4the prevention or detection of] serious crime [F5or for the purpose of any criminal proceedings]; and
 - (b) that the Service does not take any action to further the interests of any political party [F6; and
 - (c) that there are arrangements, agreed with [F7the Director General of the National Criminal Intelligence Service]], for co-ordinating the activities of the Service in pursuance of section 1(4) of this Act with the activities of police forces [F8, the National Criminal Intelligence Service, the National Crime Squad] and other law enforcement agencies
- (3) The arrangements mentioned in subsection (2)(a) above shall be such as to ensure that information in the possession of the Service is not disclosed for use in determining whether a person should be employed, or continue to be employed, by any person, or in any office or capacity, except in accordance with provisions in that behalf approved by the Secretary of State.

[F9(3A) Without prejudice to the generality of subsection (2)(a) above, the disclosure of information shall be regarded as necessary for the proper discharge of the functions of the Security Service if it consists of—

- (a) the disclosure of records subject to and in accordance with the Public Records Act 1958; or
- (b) the disclosure, subject to and in accordance with arrangements approved by the Secretary of State, of information to the Comptroller and Auditor General for the purposes of his functions.]

(3B)

- (4) The Director-General shall make an annual report on the work of the Service to the Prime Minister and the Secretary of State and may at any time report to either of them on any matter relating to its work.

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Annotations:

Amendments (Textual)

- F4** Words in s. 2(2)(a) substituted (25.9.2000) by 2000 c. 23, s. 82(1), **Sch. 4 para. 4(2)** (with s. 82(3)); S.I. 2000/2543, **art. 2**
- F5** Words in s. 2(2) inserted (15.12.1994) by 1994 c. 13, s. 11(2), **Sch. 4 para. 1(1)**; S.I. 1994/2734, **art. 2**
- F6** S. 2(2)(c) added (14.10.1996) by 1996 c. 35, s. 1(2); S.I. 1996/2454, **art. 2**
- F7** Words in s. 2(2)(c) substituted (1.4.1998) by 1997 c. 50, s. 12; S.I. 1998/354, **art. 2(1)(2)(g)**
- F8** Words in s. 2(2)(c) inserted (1.4.1998) by 1997 c. 50, s. 134(1), **Sch. 9 para. 61**; S.I. 1998/354, **art. 2(1)(2)(ay)(bb)**
- F9** S. 2(3A) inserted (15.12.1994) by 1994 c. 13, s. 11(2), **Sch. 4 para. 1(2)**; S.I. 1994/2734, **art. 2**

F10³

Annotations:

Amendments (Textual)

- F10** S. 3 superseded and repealed (15.12.1994) by 1994 c. 13, **ss. 5, 6**; S.I. 1994/2734, **art. 2**

F11⁴

Annotations:

Amendments (Textual)

- F11** S. 4 repealed (2.10.2000) by 2000 c. 23, ss. 59(8), 82(2), **Sch. 5** (with s. 82(3)); S.I. 2000/2543, **art. 3**

F12⁵

Annotations:

Amendments (Textual)

- F12** S. 5 repealed (2.10.2000) by 2000 c. 23, s. 82(2), **Sch. 5** (with s.82(3)); S.I. 2000/2543, **art. 3** (subject to transitional provisions in **art. 6(3)**)

6 Expenses.

Any expenses incurred by the Secretary of State under this Act shall be defrayed out of money provided by Parliament.

7 Short title, commencement and extent.

- (1) This Act may be cited as the Security Service Act 1989.
- (2) This Act shall come into force on such day as the Secretary of State may by an order made by statutory instrument appoint, and different days may be appointed for different provisions or different purposes.

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- (3) This Act extends to Northern Ireland.
- (4) Her Majesty may by Order in Council direct that any of the provisions of this Act specified in the Order shall extend, with such exceptions, adaptations and modifications as may be so specified, to the Isle of Man, any of the Channel Islands or any colony.

Annotations:

Modifications etc. (not altering text)

C1 Power of appointment conferred by s. 7(2) fully exercised: 18.12.1989 appointed by [S.I. 1989/2093](#)

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SCHEDULES

F13

SCHEDULE 1

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Annotations:

Amendments (Textual)

F13 Sch. 1 repealed (2.10.2000) by 2000 c. 23, ss. 70(2)(a), 82(2), Sch. 5 (with s. 82(3)); S.I. 2000/2543, art. 3 (subject to transitional provisions in art. 6(3))

F15

SCHEDULE 2

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Annotations:

Amendments (Textual)

F15 Sch. 2 repealed (2.10.2000) by 2000 c. 23, ss. 70(2)(a), 82(2), Sch. 5 (with s. 82(3)); S.I. 2000/2543, art. 3 (subject to transitional provisions in art. 6(3))

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 1(4) text amended by [2005 c. 15 Sch. 4 para. 56](#)
- s. 2(2)(c) text amended by [2005 c. 15 Sch. 4 para. 57](#)

Commencement Orders yet to be applied to the Security Service Act 1989:

Commencement Orders bringing legislation that affects this Act into force:

- [S.I. 2006/378 art. 2-7 Sch.](#) commences ([2005 c. 15](#))