

## SCHEDULES

### SCHEDULE 7

#### MISCELLANEOUS AMENDMENTS

##### *Restrictions on disclosure of information, etc on grounds of national security*

5 After section 146 of the 1978 Act there shall be inserted—

##### **“146A National Security.**

(1) Where in the opinion of any Minister of the Crown the disclosure of any information would be contrary to the interests of national security—

- (a) nothing in any of the provisions to which this section applies shall require any person to disclose the information, and
- (b) no person shall disclose the information in any proceedings in any court or tribunal relating to any of those provisions.

(2) This section applies to—

- (a) Part I so far as it relates to employment particulars,
- (b) sections 22A to 22C and section 31A,
- (c) Part III,
- (d) section 53(2A),
- (e) Part V so far as relating to a dismissal which is regarded as unfair by reason of section 57A, 59(1)(a) or 60, and
- (f) Part VIII and this Part so far as relating to any of the provisions in paragraphs (a) to (e).”.

6 In Schedule 9 of the 1978 Act (industrial tribunals)—

- (a) in paragraph 1 (regulations as to procedure), after sub-paragraph (4), there shall be inserted—

“(4A) Without prejudice to sub-paragraph (5) or paragraph 2, a Minister of the Crown may on grounds of national security direct an industrial tribunal to sit in private when hearing or determining any proceedings specified in the direction.”, and

- (b) in paragraph 2 (national security), in sub-paragraph (2), for the words “A certificate” there shall be substituted the words “Except where the complaint is that a dismissal is unfair by reason of section 57A, 59(1)(a) or 60, a certificate”.

7 In paragraph 18 of Schedule 11 to the 1978 Act (Employment Appeal Tribunal Rules), for sub-paragraph (c) (power for rules to enable private hearings) there shall be substituted—

- “(c) for requiring or enabling the Appeal Tribunal to sit in private in circumstances in which an industrial tribunal is required or empowered to sit in private by virtue of paragraph 1 of Schedule 9;”.