# Employment Rights Act 1996

**1996 CHAPTER 18**

## PART XIII

MISCELLANEOUS

## CHAPTER II

OTHER MISCELLANEOUS MATTERS

*Restrictions on disclosure of information*

### 202 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 requires 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) in Part V, **[**[F1]sections 44, 45A **[**[F2], 47 and 47C**]]**, and sections 48 and 49 so far as relating to those sections,

(c) in Part VI, sections **[**[F3]55 to 57B**]** and 61 to 63,

(d) in Part VII, sections 66 to 68, and sections 69 and 70 so far as relating to those sections,

(e) Part VIII,

(f) in Part IX, sections 92 and 93 where they apply by virtue of section 92(4),

(g) Part X so far as relating to a dismissal which is treated as unfair—

***Status:*** *Point in time view as at 15/12/1999.*
***Changes to legislation:*** *Employment Rights Act 1996, Cross Heading: Restrictions on disclosure of information is up to date with all changes known to be in force on or before 19 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

**[**[F4](i) by section 99, 100, 101A(d) or 103, or by section 104 in its application in relation to time off under section 57A,**]**

(ii) by subsection (1) of section 105 by reason of the application of subsection (2), (3) or (6) of that section, **[**[F5]or by reason of the application of subsection (4A) in so far as it applies where the reason (or, if more than one, the principal reason) for which an employee was selected for dismissal was that specified in section 101A(d)**]** and

(h) this Part and Parts XIV and XV (so far as relating to any of the provisions in paragraphs (a) to (g)).

**Textual Amendments**

**F1** Words in s. 202(2)(b) substituted (1.10.1998) by S.I. 1998/1833, **reg. 31(5)**

**F2** Words in s. 202(2)(b) substituted (15.12.1999) by 1999 c. 26, s. 9, **Sch. 4 Pt. III para. 36(a)**; S.I. 1999/2830, art. 2(2), **Sch. 1 Pt. II** (with Sch. 3 paras. 10, 11)

**F3** Words in s. 202(2)(c) substituted (15.12.1999) by 1999 c. 26, s. 9, **Sch. 4 Pt. III para. 36(b)**; S.I. 1999/2830, art. 2(2), **Sch. 1 Pt. II** (with Sch. 3 paras. 10, 11)

**F4** S. 202(2)(g)(i) substituted (15.12.1999) by 1999 c. 26, s. 9, **Sch. 4 Pt. III para. 36(c)**; S.I. 1999/2830, art. 2(2), **Sch. 1 Pt. II** (with Sch. 3 paras. 10, 11)

**F5** Words in s. 202(2)(g)(ii) inserted (1.10.1998) by S.I. 1998/1833, **reg. 32(6)(b)**

**Status:**
Point in time view as at 15/12/1999.

**Changes to legislation:**
Employment Rights Act 1996, Cross Heading: Restrictions on disclosure of information is up to date with all changes known to be in force on or before 19 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.