



# Protection from Harassment Act 1997

## 1997 CHAPTER 40

### *General*

#### **12 National security, etc.**

- (1) If the Secretary of State certifies that in his opinion anything done by a specified person on a specified occasion related to—
  - (a) national security,
  - (b) the economic well-being of the United Kingdom, or
  - (c) the prevention or detection of serious crime,and was done on behalf of the Crown, the certificate is conclusive evidence that this Act does not apply to any conduct of that person on that occasion.
- (2) In subsection (1), “specified” means specified in the certificate in question.
- (3) A document purporting to be a certificate under subsection (1) is to be received in evidence and, unless the contrary is proved, be treated as being such a certificate.

#### **Modifications etc. (not altering text)**

- C1** S. 12 applied (with modifications) (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), **ss. 230(2), 383(2)** (with s. 385); S.I. 2009/812, **art. 3(a)(b)** (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, **art. 4**

#### **13 Corresponding provision for Northern Ireland.**

An Order in Council made under paragraph 1(1)(b) of Schedule 1 to the <sup>M1</sup>Northern Ireland Act 1974 which contains a statement that it is made only for purposes corresponding to those of sections 1 to 7 and 12 of this Act—

- (a) shall not be subject to sub-paragraphs (4) and (5) of paragraph 1 of that Schedule (affirmative resolution of both Houses of Parliament), but
- (b) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

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**Changes to legislation:** There are currently no known outstanding effects for the Protection from Harassment Act 1997, Cross Heading: General. (See end of Document for details)

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#### Marginal Citations

**M1** 1974 c. 28.

#### 14 Extent.

- (1) Sections 1 to 7 extend to England and Wales only.
- (2) Sections 8 to 11 extend to Scotland only.
- (3) This Act (except section 13) does not extend to Northern Ireland.

#### 15 Commencement.

- (1) Sections 1, 2, 4, 5 and 7 to 12 are to come into force on such day as the Secretary of State may by order made by statutory instrument appoint.
- (2) Sections 3 and 6 are to come into force on such day as the Lord Chancellor may by order made by statutory instrument appoint.
- (3) Different days may be appointed under this section for different purposes.

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#### Subordinate Legislation Made

- P1** S. 15(1) power fully exercised (4.6.1997): 16.6.1997 appointed by [S.I. 1997/1418, art. 2](#)
- P2** S. 15(2) power partly exercised (10.6.1997): 16.6.1997 appointed for specified provisions by [S.I. 1997/1498, art. 2](#)
- s. 15(2) power partly exercised (30.7.1998): 1.9.1998 appointed for specified provisions by [S.I. 1998/1902, art. 2](#)

#### 16 Short title.

This Act may be cited as the Protection from Harassment Act 1997.

**Changes to legislation:**

There are currently no known outstanding effects for the Protection from Harassment Act 1997,  
Cross Heading: General.