



# Justice and Security Act 2013

## CHAPTER 18

### JUSTICE AND SECURITY ACT 2013

#### PART 1

##### OVERSIGHT OF INTELLIGENCE AND SECURITY ACTIVITIES

###### *Oversight by the Intelligence and Security Committee of Parliament*

- 1 The Intelligence and Security Committee of Parliament
- 2 Main functions of the ISC
- 3 Reports of the ISC
- 4 Sections 1 to 3 and Schedule 1: interpretation

###### *Oversight by the Intelligence Services Commissioner*

- 5 Additional review functions of the Commissioner

#### PART 2

##### DISCLOSURE OF SENSITIVE MATERIAL

###### *Closed material procedure: general*

- 6 Declaration permitting closed material applications in proceedings
- 7 Review and revocation of declaration under section 6
- 8 Determination by court of applications in section 6 proceedings
- 9 Appointment of special advocate
- 10 Saving for normal disclosure rules
- 11 General provision about section 6 proceedings
- 12 Reports on use of closed material procedure
- 13 Review of sections 6 to 11
- 14 Sections 6 to 13: interpretation

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*Changes to legislation: Justice and Security Act 2013 is up to date with all changes known to be in force on or before 13 February 2018. 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)*

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*Closed material procedure: immigration*

- 15 Certain exclusion, naturalisation and citizenship decisions

*Closed material procedure: employment*

- 16 Use of intercept evidence in employment cases involving national security

*“Norwich Pharmacal” and similar jurisdictions*

- 17 Disclosure proceedings  
18 Review of certification

**PART 3**

GENERAL

- 19 Consequential and transitional etc. provision  
20 Commencement, extent and short title

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**SCHEDULES**

**SCHEDULE 1 — The Intelligence and Security Committee of Parliament**

*Tenure of office*

- 1 (1) Subject as follows, a person appointed as a member...

*Procedure*

- 2 (1) The ISC may determine its own procedure; but this...

*Funding and other resources*

- 3 A Minister of the Crown— (a) may make payments to...

*Access to information*

- 4 (1) This paragraph applies to information requested by the ISC...

*Sensitive information*

- 5 The following information is sensitive information for the purposes of...

*Publication of information received in private*

- 6 (1) This paragraph applies to information received by the ISC...

*Protection for witnesses*

- 7 (1) Evidence given by a person who is a witness...

**SCHEDULE 2 — Consequential provision**

**Part 1 — OVERSIGHT OF INTELLIGENCE AND SECURITY ACTIVITIES**

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*Intelligence Services Act 1994 (c. 13)*

- 1 The following provisions of the Intelligence Services Act 1994 are...

*Data Protection Act 1998 (c. 29)*

- 2 In section 63A of the Data Protection Act 1998 (application...

*Northern Ireland Act 1998 (c. 47)*

- 3 In section 69B(1)(a) of the Northern Ireland Act 1998 (disregarding...

*Regulation of Investigatory Powers Act 2000 (c. 23)*

- 4 In section 60(1) of the Regulation of Investigatory Powers Act...

*Freedom of Information Act 2000 (c. 36)*

- 5 (1) The Freedom of Information Act 2000 is amended as...

*Equality Act 2006 (c. 3)*

- 6 In paragraph 14(1)(a) of Schedule 2 to the Equality Act...

Part 2 — CLOSED MATERIAL PROCEDURE

*Judicature (Northern Ireland) Act 1978 (c. 23)*

- 7 (1) Section 62 of the Judicature (Northern Ireland) Act 1978...

*Senior Courts Act 1981 (c. 54)*

- 8 (1) Section 69 of the Senior Courts Act 1981 (trial...

*Special Immigration Appeals Commission Act 1997 (c. 68)*

- 9 (1) The Special Immigration Appeals Commission Act 1997 is amended...

*Race Relations (Northern Ireland) Order 1997 (S.I. 1997/869 (N.I. 6))*

- 10 In Article 54A of the Race Relations (Northern Ireland) Order...

*Regulation of Investigatory Powers Act 2000 (c. 23)*

- 11 (1) Section 18 of the Regulation of Investigatory Powers Act...

*Equality Act 2010 (c. 15)*

- 12 In section 115 of the Equality Act 2010 (immigration cases),...

SCHEDULE 3 — Transitional provision

Part 1 — OVERSIGHT OF INTELLIGENCE AND SECURITY ACTIVITIES

- 1 (1) The persons who, immediately before the coming into force...

Part 2 — CLOSED MATERIAL PROCEDURE

- 2 Sections 6 to 14, and paragraphs 7, 8 and 11...

- 3 (1) The first time after the passing of this Act...

- 4 (1) An order under section 19(2) may, in particular, make...

Part 3 — “NORWICH PHARMACAL” AND SIMILAR JURISDICTIONS

- 5 Sections 17 and 18 apply in relation to proceedings begun,...

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**Changes and effects yet to be applied to :**

- s. 5 repealed by [2016 c. 25 Sch. 10 Pt. 8](#)
- s. 6(4)(b)(iii) substituted by [2016 c. 25 Sch. 10 para. 52](#)
- s. 16 repealed by [2016 c. 25 Sch. 10 Pt. 8](#)
- Sch. 2 para. 4 repealed by [2016 c. 25 Sch. 10 Pt. 8](#)
- Sch. 2 para. 11 repealed by [2016 c. 25 Sch. 10 Pt. 8](#)