

*These notes refer to the Justice and Security Act 2013
(c.18) which received Royal Assent on 25 April 2013*

JUSTICE AND SECURITY ACT 2013

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2: Disclosure of sensitive material

Section 16: Use of intercept evidence in employment cases involving national security

120. **Section 16** provides for an amendment to section 18 of the Regulation of Investigatory Powers Act 2000. Intercept material is generally excluded from legal proceedings under section 17 of that Act, but exceptions apply in limited circumstances by virtue of section 18.
121. The effect of the amendment is to permit the use of intercept evidence in closed material proceedings before an employment tribunal or (in Northern Ireland) an industrial tribunal. It also provides for intercept evidence to be admissible in the context of employment cases in the Fair Employment Tribunal in Northern Ireland where there is an appeal against a certificate issued on national security grounds by the Secretary of State and there are closed proceedings in that appeal.