

*Changes to legislation: There are currently no known outstanding effects for the National Security Act 2023, Paragraph 5. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 18

#### MINOR AND CONSEQUENTIAL AMENDMENTS

*Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I. 12))*

- 5 (1) The Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I. 12)) is amended as follows.
- (2) In Article 53A (meaning of “qualifying offence”), after paragraph (2)(v) insert—  
“(w) an offence under [section 18](#) of the National Security Act 2023 or for the time being listed in [section 33\(3\)\(a\)](#) of that Act.”
- (3) In Article 57 (right to have someone informed when arrested), in paragraph (10), after “the terrorism provisions” insert “or under [section 27](#) of the National Security Act 2023,”.
- (4) In Article 59 (right to consult a solicitor), in paragraph (12), after “the terrorism provisions” insert “or under [section 27](#) of the National Security Act 2023,”.
- (5) In Article 61 (fingerprinting), in paragraph (9)(b), after “the terrorism provisions” insert “or under [section 27](#) of the National Security Act 2023,”.
- (6) In Article 62 (intimate samples), after paragraph (12) insert—  
“(12A) Nothing in this Article applies to a person arrested or detained under [section 27](#) of the National Security Act 2023; and paragraph (1A) does not apply where the non-intimate samples mentioned in that paragraph were taken under paragraph [10](#) of [Schedule 6](#) to that Act.”
- (7) In Article 63 (other samples), in paragraph (11), after “the terrorism provisions” insert “or under [section 27](#) of the National Security Act 2023,”.
- (8) In Article 63R (as inserted by Schedule 2 to the [Criminal Justice Act \(Northern Ireland\) 2013 \(c. 7 \(N.I.\)\)](#)), after paragraph (4A) (as inserted by Schedule 4 to the Counter-Terrorism and Border Security Act 2019) insert—  
“(4B) Articles 63B to 63Q do not apply to material to which—  
(a) Part [4](#) of [Schedule 6](#) to the National Security Act 2023 applies, or  
(b) paragraph [6](#) of [Schedule 12](#) to that Act applies.”
- (9) In Article 64 (destruction of fingerprints and samples), in paragraph (8)(b), after “the terrorism provisions” insert “or under [section 27](#) of the National Security Act 2023”.

#### Commencement Information

- I1** Sch. 18 para. 5 not in force at Royal Assent, see 100(1)  
**I2** Sch. 18 para. 5 in force at 20.12.2023 by S.I. 2023/1272, [reg. 2\(f\)](#)

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