

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends The Official Secrets Act 1989 (Prescription) Order 1990 by adding, to those who are treated as Crown servants for the purposes of the Official Secrets Act 1989 (“the Act”), the members and employees of the Nuclear Decommissioning Authority (the “NDA”), the board members and employees of any subsidiary companies of the NDA and the members and employees of the Independent Police Complaints Commission (the “IPCC”). Accordingly, the information which they hold by virtue of their position as persons prescribed by this Order becomes information to which the Act applies if it otherwise falls within the relevant sections (1 to 4 and 8), and such persons will be treated as if they were Crown servants for the purposes of the provisions of the Act relating to the prosecution of offenders and the authorisation of disclosures. The NDA was set up under section 1 of the Energy Act 2004, and the IPCC under section 9 of the Police Reform Act 2002.