



Official Secrets Act 1989

1989 CHAPTER 6

9 Prosecutions.

- (1) Subject to subsection (2) below, no prosecution for an offence under this Act shall be instituted in England and Wales or in Northern Ireland except by or with the consent of the Attorney General or, as the case may be, the [^{F1} Advocate General for Northern Ireland].
- (2) Subsection (1) above does not apply to an offence in respect of any such information, document or article as is mentioned in section 4(2) above but no prosecution for such an offence shall be instituted in England and Wales or in Northern Ireland except by or with the consent of the Director of Public Prosecutions or, as the case may be, the Director of Public Prosecutions for Northern Ireland.

Textual Amendments

- F1** Words in s. 9(1) substituted (12.4.2010) by [Justice \(Northern Ireland\) Act 2002 \(c. 26\), s. 87\(1\), Sch. 7 para. 32](#); [S.R. 2010/113, art. 2, Sch. para. 19\(e\)](#)

Changes to legislation:

Official Secrets Act 1989, Section 9 is up to date with all changes known to be in force on or before 03 October 2023. 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.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 11(4A) inserted by [2023 c. 32 Sch. 18 para. 6\(3\)\(c\)](#)