



# Freedom of Information Act 2000

## 2000 CHAPTER 36

### PART II

#### EXEMPT INFORMATION

#### **23 Information supplied by, or relating to, bodies dealing with security matters.**

- (1) Information held by a public authority is exempt information if it was directly or indirectly supplied to the public authority by, or relates to, any of the bodies specified in subsection (3).
  - (2) A certificate signed by a Minister of the Crown certifying that the information to which it applies was directly or indirectly supplied by, or relates to, any of the bodies specified in subsection (3) shall, subject to section 60, be conclusive evidence of that fact.
  - (3) The bodies referred to in subsections (1) and (2) are—
    - (a) the Security Service,
    - (b) the Secret Intelligence Service,
    - (c) the Government Communications Headquarters,
    - (d) the special forces,
    - (e) the Tribunal established under section 65 of the Regulation of<sup>M1</sup>Investigatory Powers Act 2000,
    - (f) the Tribunal established under section 7 of the <sup>M2</sup>Interception of Communications Act 1985,
    - (g) the Tribunal established under section 5 of the <sup>M3</sup>Security Service Act 1989,
    - (h) the Tribunal established under section 9 of the <sup>M4</sup>Intelligence Services Act 1994,
    - (i) the Security Vetting Appeals Panel,
    - (j) the Security Commission,
    - (k) the National Criminal Intelligence Service,<sup>F1</sup> . . .
    - (l) the Service Authority for the National Criminal Intelligence Service.
- [<sup>F2</sup>(m) the Serious Organised Crime Agency.]

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*Changes to legislation: There are currently no known outstanding effects for the Freedom of Information Act 2000, Section 23. (See end of Document for details)*

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[<sup>F3</sup>(n) the National Crime Agency.]

[<sup>F4</sup>(o) the Intelligence and Security Committee of Parliament.]

- (4) In subsection (3)(c) “the Government Communications Headquarters” includes any unit or part of a unit of the armed forces of the Crown which is for the time being required by the Secretary of State to assist the Government Communications Headquarters in carrying out its functions.
- (5) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would involve the disclosure of any information (whether or not already recorded) which was directly or indirectly supplied to the public authority by, or relates to, any of the bodies specified in subsection (3).

#### Textual Amendments

- F1** Word in s. 23(3)(k) repealed (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 59, 174, 178, [Sch. 4 para. 159](#), [Sch. 17](#); S.I. 2006/378, [art. 4\(1\)](#), [Sch. para. 10](#) (subject to [art. 4\(2\)-\(7\)](#))
- F2** S. 23(3)(m) inserted (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 59, 178, [Sch. 4 para. 159](#); S.I. 2006/378, [art. 4\(1\)](#), [Sch. para. 10](#) (subject to [art. 4\(2\)-\(7\)](#))
- F3** S. 23(3)(n) inserted (27.5.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(2), [Sch. 8 para. 102](#); S.I. 2013/1042, [art. 3\(l\)](#)
- F4** S. 23(3)(o) inserted (25.6.2013) by [Justice and Security Act 2013 \(c. 18\)](#), s. 20(1), [Sch. 2 para. 5\(2\)](#); S.I. 2013/1482, [art. 2](#) (with [arts. 3, 4](#))

#### Marginal Citations

- M1** 2000 c. 23.
- M2** 1985 c. 56.
- M3** 1989 c. 5.
- M4** 1994 c. 13.

**Changes to legislation:**

There are currently no known outstanding effects for the Freedom of Information Act 2000, Section 23.