



# National Security Act 2023

## 2023 CHAPTER 32

### PART 2

#### PREVENTION AND INVESTIGATION MEASURES

##### *Enforcement*

#### 56 Offence

- (1) An individual commits an offence if—
  - (a) a [Part 2](#) notice is in force in relation to the individual, and
  - (b) the individual contravenes without reasonable excuse any measure specified in the notice.
- (2) Where an individual—
  - (a) is subject to a measure specified under [paragraph 2 of Schedule 7](#) (a “travel measure”), and
  - (b) leaves the United Kingdom or travels outside the United Kingdom, [subsection \(1\)\(b\)](#) has effect, in relation to that act, with the omission of the words “without reasonable excuse”.
- (3) If the individual has the permission of the Secretary of State by virtue of [Schedule 7](#) for an act which would, without that permission, contravene a measure specified in the [Part 2](#) notice, the individual contravenes that measure by virtue of that act if the act is not in accordance with the terms of the permission.
- (4) An individual who commits an offence under [subsection \(1\)](#) is liable—
  - (a) on conviction on indictment, to imprisonment for a term not exceeding 5 years or to a fine (or both);
  - (b) on summary conviction in England and Wales, to imprisonment for a term not exceeding the general limit in a magistrates’ court or to a fine (or both);

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

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- (c) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months or to a fine not exceeding the statutory maximum (or both);
  - (d) on summary conviction in Scotland, to imprisonment for a term not exceeding 12 months or to a fine not exceeding the statutory maximum (or both).
- (5) Where an individual commits an offence under [subsection \(1\)](#) by contravening a travel measure, [subsection \(4\)\(a\)](#) has effect as if “10 years” were substituted for “5 years”.
- (6) Where an individual is convicted by or before a court of an offence under [subsection \(1\)](#), it is not open to that court to make in respect of the offence—
- (a) an order under section 80 of the Sentencing Code (conditional discharge),
  - (b) an order under section 227A of the Criminal Procedure (Scotland) Act 1995 (community payback orders), or
  - (c) an order under Article 4(1)(b) of the Criminal Justice (Northern Ireland) Order 1996 (S.I. 1996/3160 (N.I. 24)) (conditional discharge).

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**Commencement Information**

- I1** S. 56 not in force at Royal Assent, see [s. 100\(1\)](#)
- I2** S. 56 in force at 20.12.2023 by [S.I. 2023/1272](#), [reg. 2\(b\)](#)

## 57 Powers of entry etc

[Schedule 11](#) makes provision about powers of entry, search, seizure and retention.

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**Commencement Information**

- I3** S. 57 not in force at Royal Assent, see [s. 100\(1\)](#)
- I4** S. 57 in force at 20.12.2023 by [S.I. 2023/1272](#), [reg. 2\(b\)](#)

## 58 Fingerprints and samples

[Schedule 12](#) makes provision about fingerprints and samples.

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**Commencement Information**

- I5** S. 58 not in force at Royal Assent, see [s. 100\(1\)](#)
- I6** S. 58 in force at 20.12.2023 by [S.I. 2023/1272](#), [reg. 2\(b\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the National Security Act 2023, Cross  
Heading: Enforcement.