

Changes to legislation: There are currently no known outstanding effects for the National Security Act 2023, Paragraph 10. (See end of Document for details)

SCHEDULES

SCHEDULE 2

POWERS OF ENTRY, SEARCH AND SEIZURE

Modifications etc. (not altering text)

- C1** [Sch. 2](#) applied (20.12.2023) by 1989 c. 6, s. 11(3) (as substituted by [National Security Act 2023 \(c. 32\)](#), s. 100(1), [Sch. 18 para. 6\(3\)\(a\)](#) (with s. 97); [S.I. 2023/1272](#), [reg. 2\(f\)](#))

PART 1

ENGLAND AND WALES AND NORTHERN IRELAND

Explanations

- 10 (1) A constable may apply to a judge for an order under [this paragraph](#) requiring any person specified in the order to provide an explanation of material—
- (a) seized under a warrant under [paragraph 2](#) or [9](#), or
 - (b) produced or made available to a constable under [paragraph 3](#) or [4](#).
- (2) An application for an order under this paragraph may be made without notice to a judge in chambers.
- (3) An order under [this paragraph](#) may not require any person to disclose any information which they would be entitled to refuse to disclose on grounds of legal professional privilege in proceedings in the High Court.
- (4) But a lawyer may be required to provide the name and address of their client.
- (5) A statement by a person in response to a requirement imposed by an order under [this paragraph](#)—
- (a) may be made orally or in writing, and
 - (b) may be used in evidence against the person only on a prosecution for an offence under [paragraph 11](#).
- (6) An order under this paragraph has effect as if it were an order of the court.

Commencement Information

- I1** [Sch. 2 para. 10](#) not in force at Royal Assent, see [100\(1\)](#)
- I2** [Sch. 2 para. 10](#) in force at 20.12.2023 by [S.I. 2023/1272](#), [reg. 2\(a\)](#)

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