
Changes to legislation: There are currently no known outstanding effects for the National Security Act 2023, Paragraph 40. (See end of Document for details)

SCHEDULES

SCHEDULE 6

DETENTION UNDER SECTION 27

PART 6

EXTENSION OF DETENTION UNDER SECTION 27

Grounds for extension

- 40 (1) A judicial authority may issue a warrant of further detention only if satisfied that—
- (a) there are reasonable grounds for believing that the further detention of the person to whom the application relates is necessary as mentioned in [sub-paragraph \(2\)](#), and
 - (b) the investigation in connection with which the person is detained is being conducted diligently and expeditiously.
- (2) The further detention of a person is necessary as mentioned in this sub-paragraph if it is necessary—
- (a) to obtain relevant evidence whether by questioning the person or otherwise,
 - (b) to preserve relevant evidence,
 - (c) pending the result of an examination or analysis of any relevant evidence, or
 - (d) pending the examination or analysis of anything which is being carried out, or is to be carried out, with a view to obtaining relevant evidence.
- (3) In [this paragraph](#) “relevant evidence” means, in relation to the person to whom the application relates, evidence which relates to the person’s involvement in foreign power threat activity.

Commencement Information

- 11** Sch. 6 para. 40 not in force at Royal Assent, see 100(1)
- 12** [Sch. 6 para. 40](#) in force at 20.12.2023 by [S.I. 2023/1272](#), [reg. 2\(a\)](#)

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