
Changes to legislation: There are currently no known outstanding effects for the National Security Act 2023, Paragraph 12. (See end of Document for details)

SCHEDULES

SCHEDULE 7

PREVENTION AND INVESTIGATION MEASURES

PART 1

MEASURES

Polygraph measure

- 12 (1) The Secretary of State may impose a requirement for the individual—
- (a) to participate in polygraph sessions conducted with a view to—
 - (i) monitoring the individual’s compliance with other specified measures;
 - (ii) assessing whether any variation of the specified measures is necessary for purposes connected with preventing or restricting the individual’s involvement in foreign power threat activity,
 - (b) to participate in those polygraph sessions at such times as may be specified in instructions given by the Secretary of State, and
 - (c) while participating in a polygraph session, to comply with instructions given to the individual by the polygraph operator.
- (2) The Secretary of State may by regulations make provision relating to the conduct of polygraph sessions, which may include in particular—
- (a) provision requiring polygraph operators to be persons who satisfy such requirements as to qualifications, experience and other matters as are specified in the regulations;
 - (b) provision about the keeping of records of polygraph sessions;
 - (c) provision about the preparation of reports on the results of polygraph sessions.
- (3) The measurement and recording of the physiological reactions of an individual while being questioned in the course of a polygraph examination must be done by means of equipment of a type approved by the Secretary of State.
- (4) The following may not be used in evidence against the individual in any proceedings for an offence—
- (a) any statement made by the individual while participating in a polygraph session;
 - (b) any physiological reaction of the individual while being questioned in the course of a polygraph examination.
- (5) In [this paragraph](#)—
- “polygraph examination” means a procedure in which—

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- (a) the polygraph operator questions the individual,
- (b) the questions and the individual's answers are recorded, and
- (c) physiological reactions of the individual while being questioned are measured and recorded;

“polygraph operator” means the person conducting a polygraph session;

“polygraph session” means a session during which the polygraph operator—

- (a) conducts one or more polygraph examinations of the individual, and
- (b) interviews the individual in preparation for, or otherwise in connection with, any such examination.

Commencement Information

I1 Sch. 7 para. 12 not in force at Royal Assent, see 100(1)

I2 Sch. 7 para. 12 in force at 20.12.2023 by [S.I. 2023/1272](#), [reg. 2\(b\)](#)

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