
STATUTORY INSTRUMENTS

2005 No. 13

The Information Tribunal (National Security Appeals) Rules 2005

Relevant Minister's objection to disclosure

13.—(1) Where a Minister objects, on grounds of the need to secure that information is not disclosed contrary to the interests of national security, to the disclosure of—

- (a) his notice in reply to the appellant, to the Commissioner or, in the case of an appeal under section 28(6) of the 1998 Act, to the respondent data controller; or
- (b) the reply of a respondent data controller, to the appellant or the Commissioner,

he may send a notice of objection to the Tribunal.

(2) A notice of objection under paragraph (1) above must be sent—

- (a) where paragraph (1)(a) above applies, with the notice in reply; and
- (b) where paragraph (1)(b) above applies, within 42 days of the date on which he receives the copy mentioned in rule 9(3) above.

(3) A notice of objection under paragraph (1) above shall be in writing and shall—

- (a) state the reasons for the objection; and
- (b) where paragraph (1)(a) above applies, if and to the extent that it is possible to do so without disclosing information contrary to the interests of national security, be accompanied by a version of the relevant Minister's notice in a form which can be shown to the appellant, the Commissioner or, as the case may be, the respondent data controller.

(4) Where the relevant Minister sends a notice of objection under paragraph (1) above, the Tribunal must not disclose the material in question otherwise than in accordance with rule 18 below.