

SCHEDULE

Amendments of primary legislation

Criminal Justice and Police Act 2001

21.—(1) The Criminal Justice and Police Act 2001⁽¹⁾ is amended as follows.

(2) In section 55, after subsection (6), insert—

“(7) In relation to the powers of seizure mentioned in subsection (8), this section (and section 59(3)(c)) have effect as if—

(a) references to excluded material or special procedure material were to confidential material within the meaning of Part 1 of Schedule 2 to the National Security Act 2023, but not including items subject to legal privilege, and

(b) subsection (6) of this section did not apply.

(8) The powers of seizure referred to in subsection (7) are the powers conferred by—

(a) paragraph 2 of Schedule 2 to the National Security Act 2023, and

(b) paragraph 12 of that Schedule, so far as conferred by reference to paragraph 2 of that Schedule.”.

(3) In section 59(7)(b)—

(a) omit the “or” at the end of sub-paragraph (iii);

(b) after sub-paragraph (iv), insert “or

(v) paragraph 3 of Schedule 2 to the National Security Act 2023,”.

(4) In section 60—

(a) in subsection (6)—

(i) omit the “and” at the end of paragraph (d);

(ii) after paragraph (e), insert—

“(f) the powers of seizure conferred by the provisions of paragraph 9 of Schedule 2 to the National Security Act 2023; and

(g) the powers of seizure conferred by the provisions of paragraph 12 of that Schedule so far as conferred by reference to paragraph 9 of that Schedule.”;

(b) after subsection (6), insert—

“(6A) In relation to the powers of seizure mentioned in subsection (6B)—

(a) subsection (3)(b)(ii) applies as if the reference to special procedure material or excluded material were to confidential material within the meaning of Part 1 of Schedule 2 to the National Security Act 2023, but not including items subject to legal privilege, and

(b) subsection (5) of this section does not apply.

(6B) The powers of seizure referred to in subsection (6A) are the powers conferred by—

(a) paragraph 2 of Schedule 2 to the National Security Act 2023, and

(b) paragraph 12 of that Schedule, so far as conferred by reference to paragraph 2 of that Schedule.”.

(1) 2001 c. 16.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (5) Omit section 66(3).
- (6) In Schedule 1—
 - (a) omit paragraph 3 and the italic heading before it;
 - (b) after paragraph 73U(2), insert—

“National Security Act 2023 (c. 32)

73V. Each of the powers of seizure conferred by paragraphs 2, 9 and 12 of Schedule 2 to the National Security Act 2023.”;
 - (c) after paragraph 83A(3), insert—

“National Security Act 2023 (c. 32)

83B. Each of the powers of seizure conferred by paragraphs 2, 9 and 12 of Schedule 2 to the National Security Act 2023.”;
 - (d) omit paragraph 86 and the italic heading before it;
 - (e) after paragraph 113(4), insert—

“National Security Act 2023 (c. 32)

 - (1) The power of seizure conferred by paragraph 2 of Schedule 2 to the National Security Act 2023.
 - (2) The power of seizure conferred by paragraph 12 of that Schedule, so far as conferred by reference to paragraph 2 of that Schedule.”.

(2) Paragraph 73U was inserted by section 57 of the Police, Crime, Sentencing and Courts Act 2022 (c. 32).
(3) Paragraph 83A was inserted by section 165(3) of the Extradition Act 2003 (c. 41).
(4) Paragraph 113 was inserted by section 28(6)(b) of the Terrorism Act 2006 (c. 11).