

SCHEDULES

SCHEDULE 4

Section 11(2).

CONSEQUENTIAL AMENDMENTS

The Security Service Act 1989

- 1 (1) In section 2 of the Security Service Act 1989 (duties of the Director-General of the Security Service) in subsection (2) after the words “serious crime” there shall be inserted “or for the purpose of any criminal proceedings”.
- (2) After subsection (3) of that section there shall be inserted the following subsection—
- “(3A) Without prejudice to the generality of subsection (2)(a) above, the disclosure of information shall be regarded as necessary for the proper discharge of the functions of the Security Service if it consists of—
- (a) the disclosure of records subject to and in accordance with the Public Records Act 1958; or
- (b) the disclosure, subject to and in accordance with arrangements approved by the Secretary of State, of information to the Comptroller and Auditor General for the purposes of his functions.”
- 2 In section 4(3) of that Act (Security Service Commissioner to review exercise of powers by Secretary of State), for the words “powers under section 3 above” there shall be substituted “powers, so far as they relate to applications made by the Service, under sections 5 and 6 of the Intelligence Services Act 1994.”
- 3 In paragraph 4(1) of Schedule 1 to that Act (Security Service Commissioner to investigate whether the Secretary of State acted properly in issuing or renewing warrant), after the words “section 3 of this Act” there shall be inserted “or section 5 of the Intelligence Services Act 1994”.

The Official Secrets Act 1989

- 4 In section 4 of the Official Secrets Act 1989 (disclosure of information which results in commission of an offence etc.) in subsection (3)(b) after the words “under section 3 of the Security Service Act 1989” there shall be inserted “or under section 5 of the Intelligence Services Act 1994 or by an authorisation given under section 7 of that Act”.

The Official Secrets Act 1989 (Prescription) Order 1990

- 5 At the end of Schedule 3 to the Official Secrets Act 1989 (Prescription) Order 1990 (bodies giving official authorisations etc.) there shall be added the following entry—

Status: This is the original version (as it was originally enacted).

“The Tribunal established under Section 7(5)”
section 9 of the Intelligence Services
Act 1994.
