

SCHEDULES

SCHEDULE 5

TERRORIST INVESTIGATIONS: INFORMATION

PART I

ENGLAND AND WALES AND NORTHERN IRELAND

Excluded and special procedure material: production & access

- 7 (1) An order under paragraph 5 may be made in relation to—
- (a) material consisting of or including excluded or special procedure material which is expected to come into existence within the period of 28 days beginning with the date of the order;
 - (b) a person who the Circuit judge thinks is likely to have any of the material to which the application relates in his possession, custody or power within that period.
- (2) Where an order is made under paragraph 5 by virtue of this paragraph, paragraph 5(3) shall apply with the following modifications—
- (a) the order shall require the specified person to notify a named constable as soon as is reasonably practicable after any material to which the application relates comes into his possession, custody or power,
 - (b) the reference in paragraph 5(3)(a) to material which the specified person has in his possession, custody or power shall be taken as a reference to the material referred to in paragraph (a) above which comes into his possession, custody or power, and
 - (c) the reference in paragraph 5(3)(c) to the specified period shall be taken as a reference to the period of 28 days beginning with the date of the order.
- (3) Where an order is made under paragraph 5 by virtue of this paragraph, paragraph 5(4) shall not apply and the order—
- (a) may only specify a person falling within sub-paragraph (1)(b), and
 - (b) shall specify the period of seven days beginning with the date of notification required under sub-paragraph (2)(a) unless it appears to the judge that a different period would be appropriate in the particular circumstances of the application.