

## SCHEDULES

### SCHEDULE 2

#### PERSONS HAVING THE APPROPRIATE PERMISSION

*Data obtained by the intelligence services under statute but without a warrant*

- 3 (1) This paragraph applies in the case of protected information falling within section 49(1)(a), (b) or (c) which—
- (a) has come into the possession of any of the intelligence services or is likely to do so; and
  - (b) is not information in the case of which paragraph 2 applies.
- (2) Subject to paragraph 6(1), a person has the appropriate permission in relation to that protected information (without any grant of permission under paragraph 1) if written permission for the giving of section 49 notices in relation to that information has been granted by the Secretary of State.
- (3) Sub-paragraph (2) applies where the protected information is in the possession, or (as the case may be) is likely to come into the possession, of both—
- (a) one or more of the intelligence services, and
  - (b) a public authority which is not one of the intelligence services,
- as if a grant of permission under paragraph 1 were unnecessary only where the application to the Secretary of State for permission under that sub-paragraph is made by or on behalf of a member of one of the intelligence services.