

## SCHEDULE 3

### PART II

#### MODIFICATIONS OF THE REGULATION OF INVESTIGATORY POWERS ACT 2000

- 12.** In section 60 (co-operation with and reports by s.59 Commissioner)—
- (a) in paragraph (b) of subsection (1), after “Secretary of State” there is inserted “and every member of staff of the Scottish Administration (by virtue of provision under section 63 of the Scotland Act 1998)”;
  - (b) after subsection (3), there is inserted the following subsection:—

“(3A) The Intelligence Services Commissioner may also, at any time, make any such other report to the First Minister on any matter relating to the carrying out of the Commissioner’s functions so far as they relate to the exercise by the Scottish Ministers (by virtue of provision made under section 63 of the Scotland Act 1998) of their powers under sections 5 and 6(3) and (4) of the Intelligence Services Act 1994<sup>(1)</sup> or under Parts I and II of this Act, as the Commissioner thinks fit.”;
  - (c) after subsection (4), there is inserted the following subsection:—

“(4A) The Prime Minister shall send a copy of every annual report made by the Intelligence Services Commissioner under subsection (2) which he lays in terms of subsection (4), together with a copy of the statement referred to in subsection (4), to the First Minister who shall forthwith lay that copy report and statement before the Scottish Parliament.”; and
  - (d) in subsection (5), after “Commissioner”, there is inserted “and, if it appears relevant to do so, with the First Minister”.

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<sup>(1)</sup> 1994 c. 13.