SCOTTISH STATUTORY INSTRUMENTS

2002 No. 207

INVESTIGATORY POWERS

The Regulation of Investigatory Powers (Cancellation of Authorisations) (Scotland) Regulations 2002

Made - - - -	*26th April 2002*
Laid before the Scottish Parliament - - - -	*27th April 2002*
Coming into force - -	*20th May 2002*

The Scottish Ministers, in exercise of the powers conferred by section 20(4) and (5) of the Regulation of Investigatory Powers (Scotland) Act 2000(**1**) and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Regulation of Investigatory Powers (Cancellation of Authorisations) (Scotland) Regulations 2002 and shall come into force on 20th May 2002.

Performance of duty to cancel

2.—(1) Where any duty imposed by section 20 of the Regulation of Investigatory Powers (Scotland) Act 2000 would otherwise fall on a person who is no longer available to perform it, that duty is to be performed by–

(a) the person, if any, appointed for the purpose of these Regulations in accordance with paragraph (2);

(b) where no such person has been appointed, the person, if any, who holds the same office, rank or position in the same public authority as was held by the person who is no longer available and who has taken over that person's responsibilities or most of them.

(2) The person making an appointment for the purpose of these Regulations, and the person appointed, must be a person holding the same office, rank or position (or a more senior one) in the same public authority as was held by the person who is no longer available.

(**1**) 2000 asp 11.