SCOTTISH STATUTORY INSTRUMENTS

2000 No. 343

INVESTIGATORY POWERS

The Regulation of Investigatory Powers (Prescription of Offices, Ranks and Positions) (Scotland) Order 2000

Made - - - -	*29th September 2000*
Laid before the Scottish Parliament - - - -	*29th September 2000*
Coming into force - -	*2nd October 2000*

The Scottish Ministers, in exercise of the powers conferred on them by sections 8(1), 9(3) and 28(4) of the Regulation of Investigatory Powers (Scotland) Act 2000(**1**), hereby make the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Regulation of Investigatory Powers (Prescription of Offices, Ranks and Positions) (Scotland) Order 2000 and shall come into force on 2nd October 2000.

(2) In this Order "the 2000 Act" means the Regulation of Investigatory Powers (Scotland) Act 2000.

Prescribed offices etc.

2.—(1) The offices, ranks and positions listed in column 2 of the Schedule to this Order (being offices, ranks or positions with the relevant public authorities in column 1) are hereby prescribed for the purposes of section 8(1) (persons entitled to grant authorisations under sections 6 and 7) of the 2000 Act.

(2) Subject to paragraph (3), where an office, rank or position with a relevant public authority is prescribed by virtue of paragraph (1), all more senior offices, ranks or positions with that authority are also prescribed.

(3) Where an office, rank or position with a relevant public authority is described in column 2 by reference to an agency, unit, branch, division or other part of that authority, the reference in paragraph (2) to all more senior offices, ranks or positions with that public authority is a reference to all more senior offices, ranks or positions in that agency, unit, branch, division or part.

(**1**) 2000 asp 11.

Additional offices etc. prescribed for urgent cases

3.—(1) The additional offices, ranks and positions listed in column 3 of the Schedule to this Order (being offices, ranks or positions with the relevant public authorities in column 1) are hereby prescribed for the purposes of section 8(1) of the 2000 Act, for the cases described in this article.

(2) An individual holding an office, rank or position which is prescribed by virtue of paragraph (1) may only grant an authorisation where it is not reasonably practicable having regard to the urgency of the case for the application to be considered by an individual in the same authority holding an office, rank or position listed in column 2.

(3) Where an office, rank or position with a relevant public authority is described in column 2 by reference to an agency, unit, branch, division or other part of that authority, the reference in paragraph (2) to an individual in the same authority is a reference to an individual in that agency, unit, branch, division or part.

St Andrew's House,Edinburgh
29th September 2000

ANGUS MacKAY
Authorised to sign by the Scottish Ministers