Draft Order laid before Parliament under section 25(5) of the Regulation of Investigatory Powers Act 2000, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2005 No.

INVESTIGATORY POWERS

The Regulation of Investigatory Powers (Communications Data) (Amendment) Order 2005

Made - - - - 2005
Coming into force in accordance with article 1(2) and (3)

The Secretary of State, in exercise of the powers conferred upon him by paragraph (g) of the definition of "relevant public authority" in section 25(1) of the Regulation of Investigatory Powers Act 2000(**1**) and by sections 25(2), (3) and (4) and 78(5) of that Act, hereby makes the following Order (a draft of which has been approved by resolution of each House of Parliament):

Citation and commencement

1.—(1) This Order may be cited as the Regulation of Investigatory Powers (Communications Data) (Amendment) Order 2005.

(2) Subject to paragraph (3), this Order shall come into force one month after the day on which it is made.

(3) Article 2(3) of this Order shall come into force on the day on which either—

(a) the other provisions of this Order come into force, or

(b) paragraph 8 of Schedule 14 to the Energy Act 2004(**2**) comes into force,

whichever is the later.

Amendment of the Regulation of Investigatory Powers (Communications Data) Order 2003

2.—(1) Part 1 of Schedule 2 (individuals in additional public authorities that may acquire all types of communications data within section 21(4) of the Regulation of Investigatory Powers Act 2000) to the Regulation of Investigatory Powers (Communications Data) Order 2003(**3**) is amended as follows.

(**1**) 2000 c. 23.
(**2**) 2004 c. 20.
(**3**) S.I.2003/3172.

(2) For the entry for the Scottish Crime Squad, substitute—

"The Scottish Drug Enforcement Agency, meaning the organisation known by that name and	Superintendent, Grade PO7 or any individual on secondment to the	Inspector or any individual on secondment to the Scottish Drug	(b)(d)(g)
established under section 36(1)(a)(ii) of the Police (Scotland) Act 1967(**4**)	Scottish Drug Enforcement Agency who holds the rank of Superintendent or Grade PO7 with the police force from which that person is seconded	Enforcement Agency who holds the rank of Inspector with the police force from which that person is seconded".	

(3) For the entry for the United Kingdom Atomic Energy Authority Constabulary, substitute—

"The Civil Nuclear Constabulary	Superintendent	Inspector	(a)(b)".

(4) Delete the entry for the Department of Trade and Industry.

(5) After the entry for the Office of the Police Ombudsman for Northern Ireland, add the following entries—

"The Independent Police Complaints Commission	Commissioner, Regional Director, Director of Investigations or Deputy Director of Investigations	—	(b)
The Office of Communications	Senior Enforcement Policy Manager	—	(b)
The force comprising the special constables appointed under section 79 of the Harbours, Docks and Piers Clauses Act 1847(**5**) on the nomination of the Dover Harbour Board	Superintendent	Inspector	(a)(b)(d)(e)
The force comprisingthe constables appointed under article 3 of	Superintendent	Inspector	(a)(b)(d)(e)".

(**4**) 1967 c. 77 (S.).
(**5**) 1847 c. 27 (10 & 11 Vict.).