*Draft Order laid before Parliament under section 30(7) 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 (Directed Surveillance and Covert Human Intelligence Sources) (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 sections 30(1), (3), (5)(a) and (b), and (6) and 78(5) of the Regulation of Investigatory Powers Act 2000(**1**) hereby makes the following Order (a draft of which has been approved by resolution of each House of Parliament):

**Citation, commencement and interpretation**

**1.**—(1) This Order may be cited as the Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) (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 3(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.

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

**Amendment of Schedule 1 to the Act**

**2.**—(1) After paragraph 4 of Part 1 of Schedule 1 to the Act, add the words—

(**1**) 2000 c. 23.
(**2**) 2004 c. 20.

"**4A.** The force comprising the special constables appointed under section 79 of the Harbours, Docks and Piers Clauses Act 1847(**3**) on the nomination of the Dover Harbour Board.

**4B.** The force comprising the constables appointed under article 3 of the Mersey Docks and Harbour (Police) Order 1975(**4**) on the nomination of the Mersey Docks and Harbour Company.".

(2) Paragraph 25 of Part 2 of Schedule 1 to the Act is omitted.

**Amendment of the Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2003**

**3.**—(1) Part 1 of the Schedule (prescriptions for public authorities in Part 1 of Schedule 1 to the Act that are relevant authorities for the purposes of sections 28 and 29 of the Act) to the Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2003(**5**) is amended as follows.

(2) After the entry for the British Transport Police, insert—

| | | | |
|---|---|---|---|
| "The force comprising the special constables appointed under section 79 of the Harbours, Docks and Piers Clauses Act 1847 on the nomination of the Dover Harbour Board | Superintendent | Inspector | (a)(b)(d)(e) |
| The force comprising the constables appointed under article 3 of the Mersey Docks and Harbour (Police) Order 1975 on the nomination of the Mersey Docks and Harbour Company | Superintendent | Inspector | (a)(b)(d)(e)". |

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

| | | | |
|---|---|---|---|
| "The Civil Nuclear Constabulary(**6**) | Superintendent | Inspector | (a)(b)". |

(4) In the entry for the Department of Trade and Industry, omit all references to individuals holding office, rank or position in the Radiocommunications Agency.

(5) In the entry for the Department for Transport, omit the first eight references in columns 2 and 4 (Head of Maritime Section to and including the Senior Transport Security Inspector).

(**3**) 1847 c. 27 (10 & 11 Vict.).
(**4**) S.I.1975/1224.
(**5**) S.I. 2003/3171.
(**6**) Inserted into Schedule 1 to the Act by paragraph 8(2) of Schedule 14 to the Energy Act 2004 (c. 20).