

*These notes relate to the Regulation of Investigatory Powers (Scotland) Act 2000 (asp 11) which received Royal Assent on 28 September 2000*

# **REGULATION OF INVESTIGATORY POWERS (SCOTLAND) ACT 2000**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### ***Surveillance Commissioners***

##### ***Section 3: Assistant Surveillance Commissioners***

21. This section provides for the appointment of Assistant Surveillance Commissioners. Under *subsection (2)* no-one can be appointed in this capacity unless they hold or have held office as a sheriff, a Crown Court or Circuit judge in England and Wales, or a county court judge in Northern Ireland.
22. *Subsections (3) and (4)* outline the functions of the Assistant Surveillance Commissioners and ordinary Surveillance Commissioners in assisting the Chief Surveillance Commissioner. This will involve reviewing any matter and making a report of such a review to the Chief Surveillance Commissioner.
23. *Subsection (5)* provides that the terms of appointment of the Assistant Surveillance Commissioners will be the same as those for ordinary Surveillance Commissioners in section 2(5) to (8) of the Act (see paragraphs 16 and 17 above).