



Regulation of Investigatory Powers (Scotland) Act 2000

2000 asp 11

Authorisation of surveillance and human intelligence sources

12 Grant of authorisations in cases of urgency

- (1) This section applies in the case of an application [^{F1}(other than an application to which section 12A below applies)]^{F1} for an authorisation for the carrying out of intrusive surveillance where the case is urgent.
- (2) If it is not reasonably practicable, having regard to the urgency of the case—
 - (a) for the application to be considered by the chief constable of the police force in question; and
 - (b) for the application to be considered by a person (if there is one) who is entitled, as a designated deputy of that chief constable, to exercise the functions in relation to that application of that chief constable,the application may be made to and considered by any person who is entitled under subsection (4) below to act for that chief constable.
- (3) A person who considers an application under subsection (1) above shall have the same power to grant an authorisation as the person for whom the person considering the application is entitled to act.
- (4) For the purposes of this section a person is entitled to act for the chief constable of a police force if the person holds the rank of [^{F2}deputy chief constable or]^{F2} assistant chief constable in that force.
- (5) In this section “designated deputy”, in relation to a chief constable, means a person holding the rank of
 - [^{F3}(a) deputy chief constable and, where there is more than one person in a police force who holds that rank, who is designated as the officer having the powers and duties conferred on a deputy chief constable by section 5A(1) of the Police (Scotland) Act 1967 (c. 77); or
 - (b) assistant chief constable who is designated to act under section 5A(2) of that Act.]^{F3}

Status: Point in time view as at 28/03/2011. This version of this provision has been superseded.
Changes to legislation: There are currently no known outstanding effects for the Regulation of Investigatory Powers (Scotland) Act 2000, Section 12. (See end of Document for details)

Textual Amendments

- F1** Words in s. 12(1) inserted (1.4.2007) by Police, Public Order and Criminal Justice (Scotland) Act 2006 (asp10), ss. 101, 104, {Sch. 6 para. 9(5)(a)}; [S.S.I. 2007/84, art. 3\(3\)](#)
- F2** Words in s. 12(4) inserted (1.4.2007) by Police, Public Order and Criminal Justice (Scotland) Act 2006 (asp10), ss. 101, 104, {Sch. 6 para. 9(5)(b)}; [S.S.I. 2007/84, art. 3\(3\)](#)
- F3** S. 12(5)(a)(b) substituted (1.4.2007) for words by Police, Public Order and Criminal Justice (Scotland) Act 2006 (asp10), ss. 101, 104, {Sch. 6 para. 9(5)(c)}; [S.S.I. 2007/84, art. 3\(3\)](#)

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