



Regulation of Investigatory Powers (Scotland) Act 2000

2000 asp 11

Authorisation of surveillance and human intelligence sources

8 Persons entitled to grant authorisations under sections 6 and 7

- (1) Subject to subsection (2) below, the persons designated for the purposes of sections 6 and 7 above are the individuals holding such offices, ranks or positions with relevant public authorities as are prescribed for the purposes of this subsection by order made by the Scottish Ministers.
- (2) The Scottish Ministers may by order impose restrictions—
 - (a) on the authorisations under sections 6 and 7 above that may be granted by any individual holding an office, rank or position with a specified public authority; and
 - (b) on the circumstances in which, or the purposes for which, such authorisations may be granted by any such individual.
- (3) A public authority is a relevant public authority for the purposes of this section in relation to sections 6 and 7 above if it is—
 - [^{F1}(aa) the Police Service;]
 - (b) the Scottish Administration;
 - (c) a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c.39);
 - [^{F2}(ca) the Police Investigations and Review Commissioner;]
 - ^{F3}(d)
 - ^{F3}(e)
 - ^{F3}(f)
 - ^{F3}(g)
 - (h) the Scottish Environment Protection Agency.
 - [^{F4}(i) the Common Services Agency for the Scottish Health Service.]
- (4) The Scottish Ministers may by order amend subsection (3) above by—
 - (a) adding a public authority to those enumerated in that subsection;

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Changes to legislation: There are currently no known outstanding effects for the Regulation of Investigatory Powers (Scotland) Act 2000, Section 8. (See end of Document for details)

- (b) removing a public authority therefrom;
- (c) making any change consequential on any change in the name of a public authority enumerated therein.

(5) No order shall be made under subsection (4)(a) above unless it has been laid in draft before and approved by resolution of the Scottish Parliament.

Textual Amendments

- F1** S. 8(3)(aa) substituted (1.4.2013) for s. 8(3)(a) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#) , s. 129(2) , [Sch. 7 para. 15\(3\)\(a\)](#) ; S.S.I. 2013/51 , [art. 2](#) (with transitional provisions and savings in S.S.I. 2013/121)
- F2** S. 8(3)(ca) inserted (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#) , s. 129(2) , [Sch. 7 para. 15\(3\)\(b\)](#) ; S.S.I. 2013/51 , [art. 2](#) (with transitional provisions and savings in S.S.I. 2013/121)
- F3** S. 8(3)(d)-(g) omitted (29.11.2010) by virtue of [The Regulation of Investigatory Powers \(Prescription of Offices, etc. and Specification of Public Authorities\) \(Scotland\) Order 2010 \(S.S.I. 2010/350\)](#) , [art. 4](#)
- F4** S. 8(3)(i) inserted (29.11.2010) by [The Regulation of Investigatory Powers \(Scotland\) Amendment Order 2010 \(S.S.I. 2010/420\)](#) , arts. 1, 2

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