



# Regulation of Investigatory Powers Act 2000

## 2000 CHAPTER 23

### PART II

#### SURVEILLANCE AND COVERT HUMAN INTELLIGENCE SOURCES

##### *Grant, renewal and duration of authorisations*

#### **45 Cancellation of authorisations.**

- (1) The person who granted or, as the case may be, last renewed an authorisation under this Part shall cancel it if—
  - (a) he is satisfied that the authorisation is one in relation to which the requirements of section 28(2)(a) and (b), 29(2)(a) and (b) or, as the case may be, 32(2)(a) and (b) are no longer satisfied; or
  - (b) in the case of an authorisation under section 29, he is satisfied that arrangements for the source's case that satisfy the requirements mentioned in subsection (2)(c) of that section no longer exist.
- (2) Where an authorisation under this Part was granted or, as the case may be, last renewed—
  - (a) by a person entitled to act for any other person, or
  - (b) by the deputy of any other person,that other person shall cancel the authorisation if he is satisfied as to either of the matters mentioned in subsection (1).
- (3) Where an authorisation under this Part was granted or, as the case may be, last renewed by a person whose deputy had power to grant it, that deputy shall cancel the authorisation if he is satisfied as to either of the matters mentioned in subsection (1).

*Status: Point in time view as at 16/02/2009. This version of this provision has been superseded.*

*Changes to legislation: Regulation of Investigatory Powers Act 2000, Section 45 is up to date with all changes known to be in force on or before 26 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (4) The Secretary of State may by regulations provide for the person by whom any duty imposed by this section is to be performed in a case in which it would otherwise fall on a person who is no longer available to perform it.
- (5) Regulations under subsection (4) may provide for the person on whom the duty is to fall to be a person appointed in accordance with the regulations.
- (6) The references in this section to a person’s deputy are references to the following—
- (a) in relation to—
    - (i) a chief constable of a police force maintained under section 2 of the <sup>M1</sup>Police Act 1996,
    - (ii) the Commissioner of Police for the City of London, or
    - (iii) a chief constable of a police force maintained under or by virtue of section 1 of the <sup>M2</sup>Police (Scotland) Act 1967,
 to his designated deputy;
  - (b) in relation to the Commissioner of Police of the Metropolis, to an Assistant Commissioner of Police of the Metropolis;<sup>F1</sup> . . .
  - (c) in relation to the Chief Constable of the Royal Ulster Constabulary, to the Deputy Chief Constable of the Royal Ulster Constabulary<sup>F2</sup>; and
  - (ca) in relation to the Director General of the Scottish Crime and Drug Enforcement Agency, to the Deputy Director General of that Agency;]
  - (d) <sup>F3</sup> . . . . .
  - (e) <sup>F3</sup> . . . . .
- (7) In this section “designated deputy” has the same meaning as in section 34.

#### Textual Amendments

- F1** Word in s. 45(6)(b) omitted (1.4.2007) by virtue of [The Police, Public Order and Criminal Justice \(Scotland\) Act 2006 \(Consequential Provisions and Modifications\) Order 2007 \(S.I. 2007/1098\)](#), arts. 1(3), 6, [Sch. para. 4\(7\)\(a\)](#)
- F2** S. 45(6)(ca) and word inserted (1.4.2007) by [The Police, Public Order and Criminal Justice \(Scotland\) Act 2006 \(Consequential Provisions and Modifications\) Order 2007 \(S.I. 2007/1098\)](#), arts. 1(3), 6, [Sch. para. 4\(7\)\(b\)](#)
- F3** S. 45(6)(d)(e) repealed (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 59, 174, 178, Sch. 4 para. 143(b), [Sch. 17](#); S.I. 2006/378, [art. 4\(1\)](#), Sch. paras. 10, 13(hh) (subject to art. 4(2)-(7))

#### Modifications etc. (not altering text)

- C1** S. 45 applied (with modifications) (16.3.2001) by [S.I. 2001/1057](#), [art. 5](#)
- C2** S. 45(1): functions transferred to the Scottish Ministers (15.12.2000) by virtue of [S.I. 2000/3253](#), arts. 1(1)(3), 3, [Sch. 2](#) (with [art. 6](#))
- C3** S. 45(1)(a) modified (S.) (14.12.2000) by [S.I. 2000/3253](#), arts. 1(1), 2, [Sch. 1 para. 5](#) (with [art. 6](#))

#### Marginal Citations

- M1** 1996 c. 16.
- M2** 1967 c. 77.

**Status:**

Point in time view as at 16/02/2009. This version of this provision has been superseded.

**Changes to legislation:**

Regulation of Investigatory Powers Act 2000, Section 45 is up to date with all changes known to be in force on or before 26 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.