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SCOTTISH STATUTORY INSTRUMENTS

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**2006 No. 367**

**ELECTRONIC COMMUNICATIONS**

**The Electronic Communications (Scotland) Order 2006**

*Made - - - - 22nd June 2006*

*Coming into force in accordance with article 1(1)*

The Scottish Ministers, considering that the authorisation of the use of electronic communications or electronic storage for any purpose is such that the extent (if any) to which records of things done for that purpose will be available will be no less satisfactory in cases where use is made of electronic communications or electronic storage than in other cases, in exercise of the powers conferred by sections 8 and 9 of the Electronic Communications Act 2000<sup>(1)</sup>, and with the consent of the Secretary of State in accordance with section 9(7)(c) of that Act, make the following Order, a draft of which has been laid before and approved by resolution of the Scottish Parliament:

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(1) 2000 c. 7 (“the 2000 Act”). By virtue of the modifications for Scotland in section 9(7) of the 2000 Act, the reference to the appropriate Minister in section 8 is to be read as a reference to the Secretary of State, and the powers of the Secretary of State may be exercised by the Scottish Ministers, with the consent of the Secretary of State. Section 15 contains a definition of “enactment” relevant to the exercise of the powers in this Order.