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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order prescribes ranks and positions for the purpose of section 8(1) of the Regulation of Investigatory Powers (Scotland) Act 2000 ([asp 11](#)) (“the 2000 Act”). Under that section individuals holding such ranks and positions may grant authorisations under sections 6 and 7 of the 2000 Act for the use of directed surveillance and covert human intelligence sources respectively. Specifically, Article 2 (1) (a) prescribes the Head of the Scottish Food Crime and Incidents Unit (SFCIU) in Food Standards Scotland (FSS), and Article 2 (1) (b) prescribes all those in FSS in ranks or positions more senior to the Head of the SFCIU, for those purposes.

The Scottish Administration is a relevant public authority for the purposes of section 8 of the 2000 Act. Food Standards Scotland is part of the Scottish Administration by virtue of the Food (Scotland) Act 2015 (Consequential Provisions) Order 2015.