

Status: Point in time view as at 07/10/2013.

*Changes to legislation: There are currently no known outstanding effects for the Crime and Courts Act 2013,
Cross Heading: Regulation of Investigatory Powers Act 2000 (c. 23). (See end of Document for details)*

SCHEDULES

SCHEDULE 8

ABOLITION OF SOCA AND NPIA

Modifications etc. (not altering text)

- C1** Sch. 8 modified (7.10.2013) by [The National Crime Agency \(Limitation of Extension to Northern Ireland\) Order 2013 \(S.I. 2013/2326\)](#), arts. 1, **arts. 3-5**

PART 2

MINOR AND CONSEQUENTIAL AMENDMENTS AND REPEALS

Extent Information

- E1** Sch. Pt. 2: "the relevant NCA provisions" as specified in the table in Sch. 24 para. 9, and to the extent there specified, do not extend to Northern Ireland, see [Sch. 24 paras. 1, 2](#)

Regulation of Investigatory Powers Act 2000 (c. 23)

- 77 The Regulation of Investigatory Powers Act 2000 is amended as follows.

Commencement Information

- I1** Sch. 8 para. 77 in force at 7.10.2013 by [S.I. 2013/1682](#), **art. 3(v)**

- 78 In section 6 (application for issue of an interception warrant), in subsection (2), for paragraph (d) substitute—
“(d) the Director General of the National Crime Agency;”.

Commencement Information

- I2** Sch. 8 para. 78 in force at 7.10.2013 by [S.I. 2013/1682](#), **art. 3(v)**

- 79 In section 17 (exclusion of matters from legal proceedings), in subsection (3), omit paragraph (c).

Commencement Information

- I3** Sch. 8 para. 79 in force at 7.10.2013 by [S.I. 2013/1682](#), **art. 3(v)**

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- 80 In section 19 (offence for unauthorised disclosures), in subsection (2), omit paragraph (c).

Commencement Information

I4 Sch. 8 para. 80 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 81 (1) Section 25 (interpretation of Chapter 2) is amended in accordance with this paragraph.
- (2) In subsection (1), in the definition of “relevant public authority”, for paragraph (b) substitute—
- “(b) the National Crime Agency;”.
- (3) In subsection (3A), for the words from “Serious” to the end substitute “ National Crime Agency include references to any National Crime Agency officer. ”.

Commencement Information

I5 Sch. 8 para. 81 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 82 In section 32 (authorisation of intrusive surveillance), in subsection (6), for paragraph (k) substitute—
- “(k) the Director General of the National Crime Agency and any National Crime Agency officer who is designated for the purposes of this paragraph by that Director General;”.

Commencement Information

I6 Sch. 8 para. 82 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 83 (1) Section 33 (rules of grant of authorisations) is amended in accordance with this paragraph.
- (2) In subsection (1A), for “Serious Organised Crime Agency” substitute “ National Crime Agency ”.
- (3) In subsection (3A)—
- (a) for “The Director General of the Serious Organised Crime Agency” substitute “ The Director General of the National Crime Agency ”;
- (b) for “member of staff of the Agency” substitute “ National Crime Agency officer ”.
- (4) In subsection (5)(a), for “member of the staff of the Serious Organised Crime Agency” substitute “ National Crime Agency officer ”.

Commencement Information

I7 Sch. 8 para. 83 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 84 (1) Section 34 (grant of authorisation in the senior officer's absence) is amended in accordance with this paragraph.

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- (2) In subsection (1)(a), for “member of the staff of the Serious Organised Crime Agency” substitute “ National Crime Agency officer ”.
- (3) In subsection (4)(j), for “Director General of the Serious Organised Crime Agency” substitute “ Director General of the National Crime Agency ”.

Commencement Information

I8 Sch. 8 para. 84 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 85 (1) Section 35 (notifications of authorisations for intrusive surveillance) is amended in accordance with this paragraph.
- (2) In subsection (1), for “SOCA” substitute “ the National Crime Agency ”.
 - (3) In subsection (10)—
 - (a) for “SOCA” substitute “ the National Crime Agency ”;
 - (b) in paragraph (a), for “Serious Organised Crime Agency” substitute “ National Crime Agency ”.

Commencement Information

I9 Sch. 8 para. 85 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 86 (1) Section 36 (approval required for authorisations to take effect) is amended in accordance with this paragraph.
- (2) In subsection (1), for paragraph (b) substitute—

“(b) a National Crime Agency officer;”.
 - (3) In subsection (6)(b) and (d), for “Director General of the Serious Organised Crime Agency” substitute “ Director General of the National Crime Agency ”.

Commencement Information

I10 Sch. 8 para. 86 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 87 In section 37 (quashing of police and Revenue and Customs authorisations etc), in subsection (1), for paragraph (b) substitute—

“(b) a National Crime Agency officer;”.

Commencement Information

I11 Sch. 8 para. 87 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 88 In section 40 (information to be provided to Surveillance Commissioners), for paragraph (b) substitute—

“(b) every National Crime Agency officer;”.

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Commencement Information

I12 Sch. 8 para. 88 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 89 In section 46 (restrictions on authorisations extending to Scotland), in subsection (3), for paragraph (db) substitute—
 “(db) the National Crime Agency”.

Commencement Information

I13 Sch. 8 para. 89 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 90 In section 49 (notices requiring disclosure), in subsection (1)(e), for “SOCA” (in each place) substitute “ the National Crime Agency ”.

Commencement Information

I14 Sch. 8 para. 90 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 91 (1) Section 51 (cases in which key required) is amended in accordance with this paragraph.
- (2) In subsection (2)—
- (a) for “SOCA” (in the first place) substitute “ the National Crime Agency ”;
 - (b) in paragraph (aa)—
 - (i) for “SOCA” substitute “ the National Crime Agency ”;
 - (ii) for “Director General of the Serious Organised Crime Agency” substitute “ Director General of the National Crime Agency ”.
- (3) In subsections (3) and (6), for “Director General of the Serious Organised Crime Agency” substitute “ Director General of the National Crime Agency ”.

Commencement Information

I15 Sch. 8 para. 91 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 92 In section 54 (tipping-off), in subsection (3)(a) and (b), for “SOCA” substitute “ the National Crime Agency ”.

Commencement Information

I16 Sch. 8 para. 92 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 93 (1) Section 55 (general duties of specified authorities) is amended in accordance with this paragraph.
- (2) In subsection (1), for paragraph (ba) substitute—
 “(ba) the Director General of the National Crime Agency”.
- (3) For subsection (3A) substitute—

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“(3A) The power of the Director General of the National Crime Agency to delegate functions under paragraph 10 of Schedule 1 to the Crime and Courts Act 2013 does not apply in relation to the Director General's duties under this section.”.

Commencement Information

I17 Sch. 8 para. 93 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 94 In section 56 (interpretation of Part 3), in subsection (1)—
- (a) in paragraph (a) of the definition of “the police”, for “member of the staff of the Serious Organised Crime Agency” substitute “National Crime Agency officer”;
 - (b) omit the definition of SOCA.

Commencement Information

I18 Sch. 8 para. 94 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 95 In section 58 (co-operation with and reports by section 57 Commissioner), in subsection (1), omit paragraph (b).

Commencement Information

I19 Sch. 8 para. 95 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 96 In section 65 (the Tribunal), in subsection (6), for paragraph (d) substitute—
“(d) the National Crime Agency;”.

Commencement Information

I20 Sch. 8 para. 96 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 97 In section 68 (Tribunal procedure), in subsection (7), omit paragraph (b).

Commencement Information

I21 Sch. 8 para. 97 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 98 (1) Section 76A (foreign surveillance operations) is amended in accordance with this paragraph.
- (2) In subsection (6)(a), for “Director General of the Serious Organised Crime Agency” substitute “Director General of the National Crime Agency”.
- (3) In subsection (11), in the definition of “United Kingdom officer”, for paragraph (b) substitute—
“(b) a National Crime Agency officer;”.

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I22 Sch. 8 para. 98 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 99 In Schedule 1 (relevant public authorities), in Part 1 (relevant authorities for purposes of sections 28 and 29), for paragraph 2 substitute—
- “2 The National Crime Agency.”.

Commencement Information

I23 Sch. 8 para. 99 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 100 (1) Schedule 2 (persons having the appropriate permission) is amended in accordance with this paragraph.
- (2) In paragraph 2 (data obtained under warrant etc), in sub-paragraphs (3) and (5), for “SOCA” substitute “ the National Crime Agency, ”.
- (3) In paragraph 4 (data obtained under statute by other persons but without a warrant), in sub-paragraph (2), for “SOCA” (in each place) substitute “ the National Crime Agency ”.
- (4) In paragraph 5 (data obtained without the exercise of statutory powers), in sub-paragraph (3)(b), for “SOCA” substitute “ the National Crime Agency ”.
- (5) In paragraph 6 (general requirements relating to the appropriate permission), in sub-paragraphs (3A) and (6), for “member of staff of the Serious Organised Crime Agency” substitute “ National Crime Agency officer ”.

Commencement Information

I24 Sch. 8 para. 100 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

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