

*Status: Point in time view as at 31/01/2017.*

*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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**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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