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## EXPLANATORY NOTE

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

This Order replaces, with amendments, the Order revoked by article 3. Article 2(1) of this Order directs that those public authorities which are specified in Schedule 1 to the Regulation of Investigatory Powers Act 2000 (“the 2000 Act”) and in column 1 of the Schedule to this Order are to be relevant public authorities for all parts of the United Kingdom. Under article 2(2) where there is an entry in column 2 of the Schedule to this Order, the authority is a relevant public authority for all parts of the United Kingdom only to the extent specified in that entry. Under section 46(4) of the 2000 Act, the effect of this direction is that the authorities specified in section 46(3) are to be treated as including these authorities.

The effect of a public authority specified in Schedule 1 to the 2000 Act being included in the list of public authorities in section 46(3) is that authorisations may be granted or renewed under sections 28 and 29 of the 2000 Act, by or in relation to that authority, where all the conduct to be authorised is likely to take place in Scotland.

Such authorisations may be granted or renewed under sections 28 and 29 where the authority is specified in Part 1 of Schedule 1 to the 2000 Act and in relation to section 28 only where the authority is specified in Part 2 of Schedule 1 to the 2000 Act.