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STATUTORY INSTRUMENTS

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**2010 No. 123**

The Regulation of Investigatory Powers  
(Covert Human Intelligence Sources: Matters  
Subject to Legal Privilege) Order 2010

PART 3

APPROVAL BY ORDINARY SURVEILLANCE  
COMMISSIONER OR SECRETARY OF STATE

**Approval required for grant or renewal of authorisations**

- 6.—**(1) An authorisation for conduct to which this Order applies shall not be granted or renewed until—
- (a) it has been approved in accordance with this article by the relevant approving officer, and
  - (b) written notice of the approving officer's decision to approve the grant or renewal of the authorisation has been given, in accordance with paragraph (3)(b), to the person who gave notice under article 5.
- (2) Where an approving officer receives a notice under article 5, the approving officer shall as soon as is reasonably practicable—
- (a) scrutinise the authorisation, and
  - (b) decide whether or not to approve the grant or renewal of the authorisation.
- (3) The approving officer shall—
- (a) give his approval to the grant or renewal of the authorisation if, and only if, the approving officer is satisfied that there are reasonable grounds for believing that—
    - (i) the authorisation is necessary on grounds falling within paragraph (4), and
    - (ii) the requirements of section 29(2)(b) and (c) of the 2000 Act are satisfied in the case of the authorisation; and
  - (b) give written notice of his decision to the person who gave notice under article 5 as soon as reasonably practicable after making that decision.
- (4) An authorisation is necessary on grounds falling within this paragraph if it is necessary—
- (a) in the interests of national security;
  - (b) for the purpose of preventing or detecting serious crime; or
  - (c) in the interests of the economic well-being of the United Kingdom;
- (5) Any notice that is required by this article to be given in writing may be given, instead, by being transmitted by electronic means.