
STATUTORY INSTRUMENTS

2010 No. 461

The Regulation of Investigatory Powers (Extension of Authorisation Provisions: Legal Consultations) Order 2010

Extension of authorisation provisions: legal consultations

3.—(1) Directed surveillance that is carried out in relation to anything taking place on so much of any premises specified in paragraph (2) as is, at any time during the surveillance, used for the purpose of legal consultations shall be treated for the purposes of Part II of the Regulation of Investigatory Powers Act 2000 as intrusive surveillance.

(2) The following premises are specified for the purposes of paragraph (1):

- (a) any place in which persons who are serving sentences of imprisonment or detention, remanded in custody or committed in custody for trial or sentence may be detained;
- (b) any place in which persons may be detained under paragraph 16(1), (1A) or (2) of Schedule 2 or paragraph 2(2) or (3) of Schedule 3 to the Immigration Act 1971⁽¹⁾ or section 36(1) of the UK Border Act 2007⁽²⁾;
- (c) any place in which persons may be detained under Part VI of the Criminal Procedure (Scotland) Act 1995⁽³⁾, the Mental Health (Care and Treatment) (Scotland) Act 2003⁽⁴⁾ or the Mental Health Act 1983⁽⁵⁾;
- (d) police stations;
- (e) the place of business of any professional legal adviser; and
- (f) any place used for the sittings and business of any court, tribunal, inquest or inquiry.

(1) 1971 c. 77; paragraph 16 of Schedule 2 has been amended by sections 42(1) and (3), 140(1), 169(1), 170(3)(m) and paragraphs 43 and 60 of Schedule 14 to the Immigration and Asylum Act 1999 (c. 33) and section 73(5) of the Nationality, Immigration and Asylum Act 2002 (c. 41) and paragraph 2(3) and (3) of Schedule 3 has been amended by section 54(1), and (3) of the Immigration and Asylum Act 1999, section 114(3) and paragraph 7 of Schedule 7 to the Nationality, Immigration and Asylum Act 2002 and section 34(2) of the Asylum and Immigration (Treatment of Claimants, etc) Act 2004 (c. 19).

(2) 2007 c. 30.

(3) 1995 c.46; Part VI was inserted by sections 130, 131, 133 and 134 of the Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13).

(4) 2003 asp 13.

(5) 1983 c.20.