
STATUTORY INSTRUMENTS

2018 No. 905

The Investigatory Powers (Codes of Practice and Miscellaneous Amendments) Order 2018

Amendment of Part 1 of the Schedule to the 2010 Order

4.—(1) Part 1 of the Schedule (offices etc. and restrictions in respect of public authorities specified in Part 1 of Schedule 1 to the Act) to the 2010 Order⁽¹⁾ is amended as follows.

(2) In the entry for the Department for Environment, Food and Rural Affairs—

(a) in column (2) of the table—

(i) omit the heading “Section 28 authorisation” and the words “District Inspector in Marine and Fisheries Agency”;

(ii) omit the heading “Section 29 authorisation” and the words “Deputy Chief Inspector in Marine and Fisheries Agency”;

(b) omit the corresponding entries in columns (3) and (4) of the table.

(3) In the entry for the Home Office—

(a) in column (2) of the table, directly after the heading “Section 28 authorisation”, insert “Grade 6 with responsibility for investigations or research relating to crime, terrorism or extremism”;

(b) in the corresponding entry in column (3) of the table, insert “—”;

(c) in the corresponding entry in column (4) of the table, insert “Paragraphs (b) and (d)”.

(4) In the entry for the Northern Ireland Office—

(a) in column (1) of the table, for “The Northern Ireland Office”, substitute “The Department of Justice in Northern Ireland”;

(b) in column (2) of the table, for “Deputy Principal or Governor 3 in the Northern Ireland Prison Service” substitute “Director of Prisons or Governor in Charge”;

(c) in column (3) of the table, for “Staff Officer or Governor 4 in the Northern Ireland Prison Service” substitute “Grade 7 or Governor in Charge”.

(5) In the entry for the Department for Business, Energy and Industrial Strategy, in column (2) of the table, for “Deputy Chief Investigation Officer in the Investigation Officers Branch” substitute “An investigating officer in the Insolvency Service at Grade 7 or above”.

(6) In the entry for the Department for Transport—

(a) in column (2) of the table—

(i) omit the first heading “Section 28 authorisation” and the words “Chief Executive of the Driver and Vehicle Standards Agency in respect of an authorisation in relation to a former Driving Standards Agency function”;

(1) Part 1 of the Schedule to the Order was amended by the Crime and Courts Act 2013 (c. 22), Schedule 8, paragraph 190, and by S.I 2013/472, 2013/602, 2013/2788, 2014/467, 2014/549, 2016/655, 2016/992 and 2017/1250.

- (ii) under the second heading “Section 28 authorisation”, for “Head of Intelligence, Head of Investigations or Regional Operations Manager in the Driver and Vehicle Standards Agency in respect of an authorisation in relation to a former Vehicle and Operator Services Agency function”, substitute “Head of Intelligence or Head of Investigations in the Driver and Vehicle Standards Agency”;
 - (iii) under the heading “Section 29 authorisation”, for “Head of Intelligence, Head of Investigations or Regional Operations Manager in the Driver and Vehicle Standards Agency in respect of an authorisation in relation to a former Vehicle and Operator Services Agency function”, substitute “Head of Intelligence or Head of Investigations in the Driver and Vehicle Standards Agency”;
- (b) in column (3) of the table—
- (i) omit “—”;
 - (ii) under the heading “Section 28 authorisation”, omit “in respect of an authorisation in relation to a former Vehicle and Operator Services Agency function”;
 - (iii) under the heading “Section 29 authorisation”, omit “in respect of an authorisation in relation to a former Vehicle and Operator Services Agency function”;
- (c) in column (4) of the table, omit the second entry “Paragraphs (b) and (d)”.
- (7) In the entry for the Welsh Assembly Government—
- (a) in column (2) of the table—
- (i) for “Head of Department for Health and Social Services” substitute “Director General Health and Social Service Group or Chief Executive NHS Wales”;
 - (ii) for “Head of Department for Health and Social Services Finance” substitute “Director of Finance, Department of Health and Social Services”;
 - (iii) for “Head of Fisheries Unit” substitute “Deputy Director, Marine and Fisheries Division”;
 - (iv) for “Regional Director or equivalent grade in the Care and Social Services Inspectorate for Wales” substitute “Head of Department or equivalent grade in the Care Inspectorate Wales”;
- (b) in column (3) of the table, for “Regulation Manager or equivalent grade in the Care and Social Services Inspectorate Wales” substitute “Senior Manager or equivalent grade in the Care Inspectorate Wales”.
- (8) In the entry for the Environment Agency—
- (a) in column (2) of the table—
- (i) for “Area Management Team member” substitute “Area Management Team Member or equivalent (Grade 7), Senior Enforcement Technical Advisor or equivalent (Grade 6)”;
 - (ii) for “Area Manager” substitute “Area Director or Deputy Director National Enforcement Service or equivalent Deputy Director”;
- (b) in column (3) of the table—
- (i) for “Area Team Leader” substitute “Area Enforcement Team Leader or Enforcement Technical Adviser or equivalent (Grade 5)”;
 - (ii) omit the heading “Section 29 authorisation” and the words “National Enforcement Service Manager”, inserting “—”.
- (9) In the entry for the Food Standards Agency, in column (2) of the table—

- (a) for “Head of Division or equivalent grade” substitute “Head of Food Crime, Head of Litigation or Head of Division or equivalent grade”;
- (b) for “Deputy Director of Legal Services or any Director” substitute “Head of Food Crime or Head of Litigation”.

(10) In the entry for the Gambling Commission, in column (2) of the table, for “Head of Department” substitute “Senior Manager”.

(11) In the entry for the Independent Office for Police Conduct, in column (3) of the table, for “Senior Investigating Officer” substitute “Operations Manager”.

(12) In the entry for the Gangmasters Labour and Abuse Authority, in column (2) of the table, for “Head of Operations” substitute “Senior Investigating Officer, Head of Compliance or equivalent grade (SEO/Grade 4A)”.

(13) In the entry for the Health and Safety Executive, in column (2) of the table, for “Band 2 Inspector” substitute “Band 1 Inspector”.

(14) At the end of the table insert—

“ The Marine Management Organisation	Section 28 authorisation Grade 7 Marine Enforcement Officer	Section 28 authorisation Principal Marine Officer (SEO equivalent)	Paragraphs (b), (c) and (e)
	Section 29 authorisation Grade 6 Marine Enforcement Officer”	–	Paragraphs (b), (c) and (e)
