

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)

F178

Textual Amendments

F1 Sch. 8 para. 78 repealed (30.8.2018) by Investigatory Powers Act 2016 (c. 25), s. 272(1), Sch. 10 Pt. 8 (with Sch. 9 paras. 7, 8, 10); S.I. 2018/940, reg. 2(1)(h)(ii) (with reg. 2(2))

79 In section 17 (exclusion of matters from legal proceedings), in subsection (3), omit paragraph (c).

Commencement Information

I2 Sch. 8 para. 79 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

80 In section 19 (offence for unauthorised disclosures), in subsection (2), omit paragraph (c).

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)

Commencement Information

I3 Sch. 8 para. 80 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

^{F2}81

Textual Amendments

F2 Sch. 8 para. 81 repealed (22.7.2020) by Investigatory Powers Act 2016 (c. 25), s. 272(1), Sch. 10 Pt. 8 (with Sch. 9 paras. 7, 8, 10); S.I. 2020/766, reg. 2(e)(iv)

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

I4 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

I5 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.

(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 ”.

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)

Commencement Information

I6 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

I7 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

I8 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

I9 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;”.

Commencement Information

I10 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;”.

*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)*

Commencement Information

I11 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

I12 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

I13 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

I14 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—
- “(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

I15 Sch. 8 para. 93 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

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)

- 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

I16 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

I17 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

I18 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

I19 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;”.

Commencement Information

I20 Sch. 8 para. 98 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

F399

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)

Textual Amendments

F3 Sch. 8 para. 99 omitted (10.8.2021 for specified purposes, 15.9.2021 for specified purposes, 30.9.2021 in so far as not already in force) by virtue of [Covert Human Intelligence Sources \(Criminal Conduct\) Act 2021 \(c. 4\), s. 9\(2\), Sch. para. 15; S.I. 2021/605, reg. 2\(a\)\(b\)\(c\)](#)

- 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

I21 [Sch. 8 para. 100](#) in force at 7.10.2013 by [S.I. 2013/1682](#), [art. 3\(v\)](#)

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).