

*Draft Order laid before Parliament under section 71(9) of the Regulation of Investigatory Powers Act 2000, for approval by resolution of each House of Parliament.*

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DRAFT STATUTORY INSTRUMENTS

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**2002 No.**

**INVESTIGATORY POWERS**

**Regulation of Investigatory Powers (Covert  
Surveillance: Code of Practice) Order 2002**

*Made* - - - - 2002  
*Coming into force* - - 1st August 2002

Whereas—

(1) in pursuance of section 71 of the Regulation of Investigatory Powers Act 2000<sup>(1)</sup> (“the 2000 Act”) the Secretary of State is under a duty to prepare codes of practice containing provisions relating to the exercise and performance of the powers and duties mentioned in subsection (2) of that section;

(2) in pursuance of section 71(3) of the 2000 Act the Secretary of State published the code prepared by him under section 71 of the 2000 Act relating to covert surveillance under Part II of the 2000 Act in the form of a draft and has considered representations made to him about the draft and modified the draft accordingly;

(3) in pursuance of section 71(4) of the 2000 Act the Secretary of State has laid that code before both Houses of Parliament;

(4) a draft of this Order has been laid before Parliament and approved by a resolution of each House;

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by section 71(5) of the 2000 Act, hereby makes the following Order:

**Citation and commencement**

1. The Order may be cited as the Regulation of Investigatory Powers (Covert Surveillance: Code of Practice) Order 2002 and shall come into force on 1st August 2002.

**Covert Surveillance Code of Practice**

2. The draft code of practice entitled “Covert Surveillance”, laid before each House of Parliament on 10th June 2002, relating to covert surveillance under Part II of the 2000 Act, shall come into force on 1st August 2002.

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(1) 2000 c. 23.

Home Office

2002

Parliamentary Under-Secretary of State

## EXPLANATORY NOTE

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

This Order brings into force the code of practice prepared under section 71 of the Regulation of Investigatory Powers Act 2000 (“the 2000 Act”) relating to covert surveillance under Part II of the 2000 Act. A person exercising or performing a power or duty to which the code applies shall in doing so have regard to the provisions of the code in so far as they are applicable.

The code of practice will be published by the Stationery Office Limited and copies may be obtained from The Stationery Office Bookshops. It will also be published on the Home Office website at “[www.homeoffice.gov.uk/ripa/ripact.htm](http://www.homeoffice.gov.uk/ripa/ripact.htm)”.