



Regulation of Investigatory Powers Act 2000

2000 CHAPTER 23

PART II

SURVEILLANCE AND COVERT HUMAN INTELLIGENCE SOURCES

Authorisation of surveillance and human intelligence sources

28 Authorisation of directed surveillance

- (1) Subject to the following provisions of this Part, the persons designated for the purposes of this section shall each have power to grant authorisations for the carrying out of directed surveillance.
- (2) A person shall not grant an authorisation for the carrying out of directed surveillance unless he believes—
 - (a) that the authorisation is necessary on grounds falling within subsection (3); and
 - (b) that the authorised surveillance is proportionate to what is sought to be achieved by carrying it out.
- (3) An authorisation is necessary on grounds falling within this subsection if it is necessary—
 - (a) in the interests of national security;
 - (b) for the purpose of preventing or detecting crime or of preventing disorder;
 - (c) in the interests of the economic well-being of the United Kingdom;
 - (d) in the interests of public safety;
 - (e) for the purpose of protecting public health;
 - (f) for the purpose of assessing or collecting any tax, duty, levy or other imposition, contribution or charge payable to a government department; or

Status: This is the original version (as it was originally enacted).

- (g) for any purpose (not falling within paragraphs (a) to (f)) which is specified for the purposes of this subsection by an order made by the Secretary of State.
- (4) The conduct that is authorised by an authorisation for the carrying out of directed surveillance is any conduct that—
- (a) consists in the carrying out of directed surveillance of any such description as is specified in the authorisation; and
 - (b) is carried out in the circumstances described in the authorisation and for the purposes of the investigation or operation specified or described in the authorisation.
- (5) The Secretary of State shall not make an order under subsection (3)(g) unless a draft of the order has been laid before Parliament and approved by a resolution of each House.