

2004 No. 158

INVESTIGATORY POWERS

**The Regulation of Investigatory Powers (Designation of an
International Agreement) Order 2004**

Made - - - - - 27th January 2004

Laid before Parliament 3rd February 2004

Coming into force - - 1st April 2004

The Secretary of State, in exercise of the powers conferred on him by section 1(4)(c) of the Regulation of Investigatory Powers Act 2000(a), hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Regulation of Investigatory Powers (Designation of an International Agreement) Order 2004 and shall come into force on 1st April 2004.

Designation of an international agreement

2. The Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union established by Council Act of 29th May 2000 (2000/C197/01) is hereby designated for the purposes of section 1(4) of the Regulation of Investigatory Powers Act 2000.

Home Office
27th January 2004

Caroline Flint
Parliamentary Under-Secretary of State

(a) 2000 c. 23.

EXPLANATORY NOTE

(This note is not part of the Order)

Section 1(4) of the Regulation of Investigatory Powers Act 2000 puts the Secretary of State under a duty to secure that no request for mutual assistance relating to the interception of communications and requiring the use of a warrant or equivalent instrument is made on behalf of a person in the United Kingdom to the competent authorities of a country or territory outside the United Kingdom except with lawful authority (lawful authority is defined in section 1(5)). The duty on the Secretary of State only applies to a request for mutual assistance made under a designated international agreement. This Order designates the Convention on Mutual Assistance in Criminal Matters between the Members States of the European Union established by Council Act of 29th May 2000 (2000/C197/01) as such an agreement.

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