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STATUTORY INSTRUMENTS

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**2007 No. 934**

**INVESTIGATORY POWERS**

The Regulation of Investigatory Powers  
(Authorisations Extending to Scotland) Order 2007

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|-------------------------------|---------|------------------------|
| <i>Made</i>                   | - - - - | <i>19th March 2007</i> |
| <i>Laid before Parliament</i> |         | <i>22nd March 2007</i> |
| <i>Coming into force</i>      | - -     | <i>16th April 2007</i> |

The Secretary of State, in exercise of the powers conferred on him by section 46(4) of the Regulation of Investigatory Powers Act 2000(1), makes the following Order:

1. This Order may be cited as the Regulation of Investigatory Powers (Authorisations Extending to Scotland) Order 2007 and shall come into force on 16<sup>th</sup> April 2007.

2.—(1) Subject to paragraph (2), it is directed that the public authorities listed in column 1 of the Schedule to this Order (being public authorities for the time being specified in Schedule 1 to the Regulation of Investigatory Powers Act 2000(2)) are relevant public authorities for all parts of the United Kingdom.

(2) Where there is an entry in column 2 against a particular authority, that authority is a relevant public authority for all parts of the United Kingdom only to the extent specified in that column.

3. The Regulation of Investigatory Powers (Authorisations Extending to Scotland) Order 2000(3) is revoked.

Home Office  
19th March 2007

*Tony McNulty*  
Minister of State

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(1) 2000 c.23.  
(2) Relevant amendments were made by Schedule 1 to S.I. 2002/794; Schedule 2 to S.I. 2002/2626; the Schedule to S.I. 2002/1397; paragraph 14 of Schedule 16 to the Gambling Act 2005 (c.19); Schedule 1 to S.I. 2001/1149; paragraph 161(3) of Schedule 17 to the Communications Act 2003 (c.21); and S.I. 2006/1874.  
(3) S.I. 2000/2418.

*Status: This is the original version (as it was originally made).*

## SCHEDULE

| <i>1</i>   | <i>2</i>                         |
|--|----------------------------------|
| The Department for Environment, Food and Rural Affairs   | The Defra Investigation Services |
| The Home Office  | The Immigration Service          |
| The Department for Trade and Industry  |                                  |
| The Department for Transport   | The Driving Standards Agency     |
| The Department for Work and Pensions   |                                  |
| The Environment Agency   |                                  |
| The Financial Services Authority   |                                  |
| The Food Standards Agency  |                                  |
| The Gambling Commission  |                                  |
| The Gangmasters Licensing Authority  |                                  |
| A universal service provider (within the meaning of the Postal Services Act 2000 <sup>(4)</sup> ) acting in connection with the provision of a universal postal service (within the meaning of that Act) |                                  |
| The Office of Communications   |                                  |
| The Health and Safety Executive  |                                  |
| The Royal Pharmaceutical Society of Great Britain  |                                  |

## EXPLANATORY NOTE

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

This Order replaces, with amendments, the Order revoked by article 3. Article 2(1) of this Order directs that those public authorities which are specified in Schedule 1 to the Regulation of Investigatory Powers Act 2000 (“the 2000 Act”) and in column 1 of the Schedule to this Order are to be relevant public authorities for all parts of the United Kingdom. Under article 2(2) where there is an entry in column 2 of the Schedule to this Order, the authority is a relevant public authority for all parts of the United Kingdom only to the extent specified in that entry. Under section 46(4) of the 2000 Act, the effect of this direction is that the authorities specified in section 46(3) are to be treated as including these authorities.

The effect of a public authority specified in Schedule 1 to the 2000 Act being included in the list of public authorities in section 46(3) is that authorisations may be granted or renewed under sections

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<sup>(4)</sup> 2000 c.26.

28 and 29 of the 2000 Act, by or in relation to that authority, where all the conduct to be authorised is likely to take place in Scotland.

Such authorisations may be granted or renewed under sections 28 and 29 where the authority is specified in Part 1 of Schedule 1 to the 2000 Act and in relation to section 28 only where the authority is specified in Part 2 of Schedule 1 to the 2000 Act.