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STATUTORY INSTRUMENTS

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**2013 No. 2788**

**The Regulation of Investigatory Powers (Covert Human Intelligence Sources: Relevant Sources) Order 2013**

**PART 1**

**General**

**Citation and commencement**

**1.** This Order may be cited as the Regulation of Investigatory Powers (Covert Human Intelligence Sources: Relevant Sources) Order 2013 and shall come into force on 1st January 2014.

**Interpretation**

**2.** In this Order—

“the Act” means the Regulation of Investigatory Powers Act 2000;

“relevant source” means a source holding an office, rank or position with one of the following—

- (a) a police force maintained under section 2 of the Police Act 1996<sup>(1)</sup>,
- (b) the City of London Police Force,
- (c) the Metropolitan Police Force,
- (d) the Police Service of Northern Ireland,
- (e) the Police Service of Scotland,
- (f) the Ministry of Defence Police,
- (g) the Royal Navy Police,
- (h) the Royal Military Police,
- (i) the Royal Air Force Police,
- (j) the British Transport Police,
- (k) the National Crime Agency,
- (l) Her Majesty’s Revenue and Customs, or
- (m) the Home Office;

“section 29 authorisation” means an authorisation for the conduct or the use of a source under section 29 of the Act;

“source” means covert human intelligence source.

### **Long Term Authorisation**

3.—(1) In this Order a section 29 authorisation for the conduct or use of a relevant source is a long term authorisation if the periods mentioned in paragraph (2)(a) and (b), when taken together, exceed 12 months.

(2) Those periods are—

- (a) the period for which the relevant source will be authorised under the authorisation, having regard (where relevant) to paragraph (4), and
- (b) any period or periods, other than a period or periods to which paragraph (3) or (5) applies, for which the relevant source has previously been authorised as a source in relation to the same investigation or operation.

(3) This paragraph applies to a period or periods for which the relevant source has been authorised as a source under a section 29 authorisation where that authorisation was granted orally or by a person whose entitlement to act is confined to urgent cases.

(4) For the purposes of paragraph (2)(a) where the period or periods in respect of which a relevant source has previously been authorised as a source is less than 12 months in total, any further authorisation will cease to have effect, unless renewed, at the end of a period of 12 months less the total period for which the source has previously been authorised and section 43(3) of the Act shall have effect as if the period specified in paragraph (b) of that subsection were modified accordingly.

(5) For the purposes of paragraphs (2)(b) and (4) any period of authorisation which ceased to have effect more than 3 years prior to the intended commencement date of the authorisation referred to at paragraph (2)(a) shall be disregarded.

(6) In respect of an authorisation to which article 8(1)(b) of the Regulation of Investigatory Powers (Covert Human Intelligence Sources: Matters Subject to Legal Privilege) Order 2010(2) applies references in paragraphs (1) and (4) of this article to 12 months should be read as references to 3 months.