

*These notes relate to the Regulation of Investigatory Powers (Scotland) Act 2000 (asp 11) which received Royal Assent on 28 September 2000*

# **REGULATION OF INVESTIGATORY POWERS (SCOTLAND) ACT 2000**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### *Codes of practice*

#### *Section 26: Effect of codes of practice*

110. *Subsection (1)* requires any person to take account of any applicable code of practice issued under sections 24 or 25 while exercising or performing any power or duty under this Act.
111. *Subsection (2)* explains that a failure to comply with a code of practice issued under sections 24 or 25 will not of itself constitute a criminal offence or give rise to liability in civil proceedings.
112. *Subsection (3)* allows the evidential use of a code of practice in court.
113. *Subsection (4)* requires that, where relevant, the statutory bodies described in this subsection must take into account the provisions of a code of practice.