



Regulation of Investigatory Powers (Scotland) Act 2000

2000 asp 11

Authorisation of surveillance and human intelligence sources

8 Persons entitled to grant authorisations under sections 6 and 7

- (1) Subject to subsection (2) below, the persons designated for the purposes of sections 6 and 7 above are the individuals holding such offices, ranks or positions with relevant public authorities as are prescribed for the purposes of this subsection by order made by the Scottish Ministers.
- (2) The Scottish Ministers may by order impose restrictions—
 - (a) on the authorisations under sections 6 and 7 above that may be granted by any individual holding an office, rank or position with a specified public authority; and
 - (b) on the circumstances in which, or the purposes for which, such authorisations may be granted by any such individual.
- (3) A public authority is a relevant public authority for the purposes of this section in relation to sections 6 and 7 above if it is—
 - [^{F1}(aa) the Police Service;]
 - (b) the Scottish Administration;
 - (c) a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c.39);
 - [^{F2}(ca) the Police Investigations and Review Commissioner;]
 - ^{F3}(d)
 - ^{F3}(e)
 - ^{F3}(f)
 - ^{F3}(g)
 - (h) the Scottish Environment Protection Agency.
 - [^{F4}(i) the Common Services Agency for the Scottish Health Service.]
- (4) The Scottish Ministers may by order amend subsection (3) above by—
 - (a) adding a public authority to those enumerated in that subsection;

Changes to legislation: There are currently no known outstanding effects for the Regulation of Investigatory Powers (Scotland) Act 2000, Section 8. (See end of Document for details)

- (b) removing a public authority therefrom;
 - (c) making any change consequential on any change in the name of a public authority enumerated therein.
- (5) No order shall be made under subsection (4)(a) above unless it has been laid in draft before and approved by resolution of the Scottish Parliament.

Textual Amendments

- F1** S. 8(3)(aa) substituted (1.4.2013) for s. 8(3)(a) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#) , s. 129(2) , [Sch. 7 para. 15\(3\)\(a\)](#) ; S.S.I. 2013/51 , [art. 2](#) (with transitional provisions and savings in S.S.I. 2013/121)
- F2** S. 8(3)(ca) inserted (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#) , s. 129(2) , [Sch. 7 para. 15\(3\)\(b\)](#) ; S.S.I. 2013/51 , [art. 2](#) (with transitional provisions and savings in S.S.I. 2013/121)
- F3** S. 8(3)(d)-(g) omitted (29.11.2010) by virtue of [The Regulation of Investigatory Powers \(Prescription of Offices, etc. and Specification of Public Authorities\) \(Scotland\) Order 2010 \(S.S.I. 2010/350\)](#) , [art. 4](#)
- F4** S. 8(3)(i) inserted (29.11.2010) by [The Regulation of Investigatory Powers \(Scotland\) Amendment Order 2010 \(S.S.I. 2010/420\)](#) , arts. 1, 2

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