
SCOTTISH STATUTORY INSTRUMENTS

2014 No. 339

The Regulation of Investigatory Powers (Authorisation of Covert Human Intelligence Sources) (Scotland) Order 2014

PART 1

General

Citation and commencement

1. This Order may be cited as the Regulation of Investigatory Powers (Authorisation of Covert Human Intelligence Sources) (Scotland) Order 2014 and comes into force on 2nd February 2015.

Interpretation

2. In this Order—

“Commissioner” means an ordinary Surveillance Commissioner;

“communications subject to legal privilege” means—

- (a) communications between a professional legal adviser and that adviser’s client; or
- (b) communications made in connection with, or in contemplation of, legal proceedings and for the purposes of those proceedings,

which would, in legal proceedings, be protected from disclosure by virtue of any rule of law relating to the confidentiality of communications;

“long term authorisation” has the meaning given by article 8;

“private information” has the meaning given by section 1(9) of the Act;

“relevant source” means a source holding an office, rank or position with—

- (a) the Police Service of Scotland;
- (b) a police force maintained under section 2 of the Police Act 1996⁽¹⁾;
- (c) the metropolitan police force;
- (d) the City of London police force;
- (e) the Police Service of Northern Ireland;
- (f) the National Crime Agency;
- (g) the Ministry of Defence Police;
- (h) the British Transport Police Force;
- (i) the Royal Navy Police; or
- (j) the Royal Military Police;

“source” means a covert human intelligence source;

(1) 1996 c.16.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“the 2010 Order” means the Regulation of Investigatory Powers (Prescription of Offices, etc. and Specification of Public Authorities) (Scotland) Order 2010⁽²⁾;

“the Act” means the Regulation of Investigatory Powers (Scotland) Act 2000; and

“writing” includes electronic communications within the meaning given by section 15 of the Electronic Communications Act 2000⁽³⁾.

(2) [S.S.I. 2010/350](#). This Order has been amended by paragraph 36 of Schedule 1 to the Police and Fire Reform (Scotland) Act 2012 (Consequential Modifications and Savings) Order 2013 ([S.S.I. 2013/119](#)).

(3) [2000 c.7](#). Section 15 has been amended by paragraph 158 of Schedule 17 to the Communications Act 2003 ([c.21](#)).