

2015 No. 937

INVESTIGATORY POWERS

**The Regulation of Investigatory Powers (Directed Surveillance
and Covert Human Intelligence Sources) (Amendment) Order
2015**

<i>Made</i>	- - - -	<i>26th March 2015</i>
<i>Laid before Parliament</i>		<i>27th March 2015</i>
<i>Coming into force</i>	- -	<i>1st October 2015</i>

The Secretary of State makes the following Order in exercise of the powers conferred by sections 30(3) and (6) and 78(5) of the Regulation of Investigatory Powers Act 2000(a).

Citation and commencement

1.—(1) This Order may be cited as the Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) (Amendment) Order 2015.

(2) This Order comes into force on 1st October 2015.

Amendment of the Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2010

2.—(1) The Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2010(b) is amended as follows.

(2) In Article 7A(3)(b) (restrictions on the granting of authorisations)—

(a) in paragraph (iv) for “.” substitute “;”; and

(b) after paragraph (iv) add—

“(v) section 91 of the Children and Families Act 2014(c) (purchase of tobacco, nicotine products etc. on behalf of persons under 18);

(vi) section 92 of the Children and Families Act 2014 (prohibition of sale of nicotine products to persons under 18).”.

Signed by authority of the Secretary of State.

26th March 2015

Jane Ellison
Parliamentary Under-Secretary of State,
Department of Health

(a) 2000 c.23.

(b) S.I. 2010/521, as amended by S.I. 2012/1500.

(c) 2014 c.6. Section 91 of the Children and Families Act 2014 was extended to include relevant nicotine products by regulation 2 of S.I. 2015/895

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2010 (“the 2010 Order”).

The 2010 Order prescribes the offices, ranks and positions of the individuals within a public authority who have power to grant authorisations for the carrying out of directed surveillance (as defined by section 26(2) of the Regulation of Investigatory Powers Act 2000). It also sets out the restrictions on the circumstances in which authorisations can be granted. Article 7A(3)(b) of the Order lists the criminal offences for which relevant individuals may grant authorisations.

Article 2(2) adds to the list in Article 7A(3)(b) of the 2010 Order, the offence of purchasing tobacco, cigarette papers or a relevant nicotine product by an adult on behalf of a person under 18; and the offence of the sale of a relevant nicotine product to a person under the age of 18.

A full regulatory impact assessment has not been produced for this Order as no impact on the private or voluntary sectors is foreseen.

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