

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

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Chief Surveillance Commissioner

Section 21: Functions of Chief Surveillance Commissioner

90. This section outlines the functions of the Chief Surveillance Commissioner, who is appointed under section 2(1) of this Act, in keeping under review the use of powers or duties conferred or imposed by this Act.
91. *Subsection (3)* imposes a duty upon the Chief Surveillance Commissioner to give the Tribunal established under section 65 of the Regulation of Investigatory Powers Act 2000 all such assistance (including his opinion as to any issue falling to be determined by the Tribunal) as is appropriate in connection with the investigation of any matter by it or otherwise for the purposes of the Tribunal's consideration or determination of any matter.
92. *Subsection (4)* makes it clear that *subsection (1)* does not apply in the case of any power of the Scottish Ministers to make, amend or revoke any subordinate legislation. Accordingly, the Chief Surveillance Commissioner does not have a function to review the exercise of any such power.