



# Regulation of Investigatory Powers (Scotland) Act 2000

## 2000 asp 11

### *Authorisation of surveillance and human intelligence sources*

#### **12 Grant of authorisations in cases of urgency**

- (1) This section applies in the case of an application for an authorisation for the carrying out of intrusive surveillance where the case is urgent.
- (2) If it is not reasonably practicable, having regard to the urgency of the case—
  - (a) for the application to be considered by the chief constable of the police force in question; and
  - (b) for the application to be considered by a person (if there is one) who is entitled, as a designated deputy of that chief constable, to exercise the functions in relation to that application of that chief constable,the application may be made to and considered by any person who is entitled under subsection (4) below to act for that chief constable.
- (3) A person who considers an application under subsection (1) above shall have the same power to grant an authorisation as the person for whom the person considering the application is entitled to act.
- (4) For the purposes of this section a person is entitled to act for the chief constable of a police force if the person holds the rank of assistant chief constable in that force.
- (5) In this section “designated deputy”, in relation to a chief constable, means a person holding the rank of assistant chief constable who is designated to act under section 5(4) of the Police (Scotland) Act 1967 (c. 77).