



# 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—
  - (a) a police force;
  - (b) the Scottish Administration;
  - (c) a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c. 39);
  - (d) the Common Services Agency for the Health Service;
  - (e) a health board;
  - (f) a special health board;
  - (g) a National Health Service trust established under section 12A of the National Health Service (Scotland) Act 1978 (c. 29);
  - (h) the Scottish Environment Protection Agency.
- (4) The Scottish Ministers may by order amend subsection (3) above by—
  - (a) adding a public authority to those enumerated in that subsection;
  - (b) removing a public authority therefrom;

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*Status: This is the original version (as it was originally enacted).*

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- (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.