
STATUTORY INSTRUMENTS

2000 No. 2417

INVESTIGATORY POWERS

**The Regulation of Investigatory Powers (Prescription
of Offices, Ranks and Positions) Order 2000**

Made - - - - *7th September 2000*
Laid before Parliament *8th September 2000*
Coming into force - - *25th September 2000*

The Secretary of State, in exercise of the powers conferred on him by section 30(1) and (3) and section 78(5) of the Regulation of Investigatory Powers Act 2000⁽¹⁾, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Regulation of Investigatory Powers (Prescription of Offices, Ranks and Positions) Order 2000 and shall come into force on 25th September 2000.

(2) In this Order “the 2000 Act” means the Regulation of Investigatory Powers Act 2000.

Prescribed offices etc.

2.—(1) The offices, ranks and positions listed in column 2 of the Schedule to this Order (being offices, ranks or positions with the relevant public authorities in column 1) are hereby prescribed for the purposes of section 30(1) of the 2000 Act.

(2) Subject to paragraph (3), where an office, rank or position with a relevant public authority is prescribed by virtue of paragraph (1), all more senior offices, ranks or positions with that authority are also prescribed.

(3) Where an office, rank or position with a relevant public authority is described in column 2 by reference to an agency, unit, branch, division or other part of that authority, the reference in paragraph (2) to all more senior offices, ranks or positions with that public authority is a reference to all more senior offices, ranks or positions in that agency, unit, branch, division or part.

Additional offices etc. prescribed for urgent cases

3.—(1) The additional offices, ranks and positions listed in column 3 of the Schedule to this Order (being offices, ranks or positions with the relevant public authorities in column 1) are hereby prescribed for the purposes of section 30(1) of the 2000 Act, for the cases described in this article.

(2) An individual holding an office, rank or position which is prescribed by virtue of paragraph (1) may only grant an authorisation where it is not reasonably practicable having regard to the urgency of the case for the application to be considered by an individual in the same authority holding an office, rank or position prescribed by article 2.

(3) Where an office, rank or position with a relevant public authority is described in column 2 by reference to an agency, unit, branch, division or other part of that authority, the reference in paragraph (2) to an individual in the same authority is a reference to an individual in that agency, unit, branch, division or part.

Restricted prescriptions for certain cases

4.—(1) Where an entry in columns 2 or 3 of the Schedule to this Order is headed by a reference to an authorisation under section 28 or section 29 of the 2000 Act, as the case may be, the prescriptions by virtue of articles 2 and 3 apply accordingly.

(2) The prescriptions by virtue of articles 2 and 3 in relation to the Food Standards Agency and the Intervention Board for Agricultural Produce do not apply for the purposes of the grant of authorisations for conduct in Northern Ireland.

Home Office
7th September 2000

Charles Clarke
Minister of State

SCHEDULE

Article 2

PART I

Prescriptions for public authorities which are relevant
public authorities for the purposes of ss. 28 and 29

<i>(1)</i> <i>Relevant public authorities</i>	<i>(2)</i> <i>Prescribed offices etc.</i>	<i>(3)</i> <i>Urgent cases</i>
<i>Police Forces</i>		
A police force maintained under section 2 of the Police Act 1996 (police forces in England and Wales outside London)	Superintendent	Inspector
A police force maintained under or by virtue of section 1 of the Police (Scotland) Act 1967	Superintendent	Inspector
The metropolitan police force	Superintendent	Inspector
The City of London police force	Superintendent	Inspector
The Royal Ulster Constabulary	Superintendent	Inspector
The Ministry of Defence Police	Superintendent	Inspector
The Royal Navy Regulating Branch	Provost Marshal	
The Royal Military Police	Lieutenant Colonel	Major
The Royal Air Force Police	Wing Commander	Squadron Leader
The British Transport Police	Superintendent	Inspector
The National Criminal Intelligence Service	Superintendent	Inspector
The National Crime Squad	Superintendent	Inspector
The Serious Fraud Office	Assistant Director	
<i>The Intelligence Services</i>		
Government Communications Headquarters	GC8	
The Security Service	General Duties 3 or any other Officer at Level 3	
The Secret Intelligence Service	Band C	
<i>Her Majesty's Forces</i>		
The Royal Navy	Commander	Lieutenant Commander

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<i>(1)</i> <i>Relevant public authorities</i>	<i>(2)</i> <i>Prescribed offices etc.</i>	<i>(3)</i> <i>Urgent cases</i>
The Army	Lieutenant Colonel	Major
The Royal Air Force	Wing Commander	Squadron Leader
The Commissioners of Customs and Excise	Band 9	Band 7 or 8
The Commissioners of Inland Revenue	Band C1	Band C2
The Ministry of Agriculture, Fisheries and Food	Senior Investigation Officer in MAFF Investigation Branch	
	Senior Investigation Officer in Centre for Environment, Fisheries and Aquaculture Science	
	<i>Section 28 authorisation</i>	
	Regional Horticultural Marketing Inspector in Horticultural Marketing Inspectorate	
	<i>Section 28 authorisation</i>	
	Senior Plant Health and Seed Inspector in Plant Health and Seed Inspectorate	
Ministry of Defence	<i>Section 28 authorisation</i>	
	Chief Egg Marketing Inspector in Egg Marketing Inspectorate	
	<i>Section 28 authorisation</i>	
	District Inspector in Sea Fisheries Inspectorate	
The Department of the Environment, Transport and the Regions	Band C1	Band C2
The Department of Health	Head of Maritime Section, Head of Channel Tunnel and Railways Section, Senior Aviation Security Inspector	
	<i>Section 28 authorisation</i>	<i>Section 28 authorisation</i>
	Area Manager in Vehicle Inspectorate	Senior Vehicle Examiner or Senior Traffic Examiner in Vehicle Inspectorate
	Integrated Payband 3 (Standard 2) in Medicines Control Agency	

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<i>(1)</i> <i>Relevant public authorities</i>	<i>(2)</i> <i>Prescribed offices etc.</i>	<i>(3)</i> <i>Urgent cases</i>
	Integrated Payband 3 (Standard 2) in Directorate of Counter Fraud Services	
	Integrated Payband 3 (Standard 2) in Medical Devices Agency	
	<i>Section 28 authorisation</i>	<i>Section 28 authorisation</i>
	Integrated Payband 4 in Welfare Foods Policy Unit	Integrated Payband 3 (Standard 2) in Welfare Foods Policy Unit
The Home Office	Senior Executive Officer or Grade 3B in HM Prison Service	Higher Executive Officer or Grade 3C in HM Prison Service
Immigration Inspector or any other Senior Executive Officer in Immigration Service	Chief Immigration Officer or any other Higher Executive Officer in Immigration Service	
The Department of Social Security	Director's Investigation Liaison Officer, Senior Executive Officer in Departmental Security Division, Senior Executive Officer in Audit Services	Director's Deputy Investigation Liaison Officer, Higher Executive Officer in Departmental Security Division, Higher Executive Officer in Audit Services
	Band C4 in Benefits Agency	Band C3 in Benefits Agency
	Senior Executive Officer in Child Support Agency	Higher Executive Officer in Child Support Agency
	Senior Executive Officer in War Pensions Agency	Higher Executive Officer in War Pensions Agency
The Department of Trade and Industry	Deputy Inspector of Companies in Companies Investigation Branch	
	Chief Investigation Officer or Member of Senior Civil Service in Legal Services Directorate Branch D	
	<i>Section 28 authorisation</i>	<i>Section 28 authorisation</i>
	Radio Specialist 5 or Range 9 Officer in Radiocommunications Agency	Radio Specialist 4 or Range 8 Officer in Radiocommunications Agency

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<i>(1)</i> <i>Relevant public authorities</i>	<i>(2)</i> <i>Prescribed offices etc.</i>	<i>(3)</i> <i>Urgent cases</i>
	<i>Section 29 authorisation</i>	
	Member of Senior Civil Service in Radiocommunications Agency	
	<i>Section 28 authorisation</i>	
	Member of Senior Civil Service in British Trade International	
	<i>Section 28 authorisation</i>	<i>Section 28 authorisation</i>
	Range 10 Officer in Coal Health Claims Unit	Range 9 Officer in Coal Health Claims Unit
The National Assembly for Wales	Head of NHS Directorate, Head of Health Services Division, Head of NHS Finance Division	Member of Health Services Division at a level equivalent to Grade 7, Member of NHS Finance Division at a level equivalent to Grade 7
	Head of Common Agricultural Policy Management Division	Member of Common Agricultural Policy Management Division at a level equivalent to Grade 7
A Local Authority (within the meaning of section 1 of the Local Government Act 1999)	Assistant Chief Officer, Officer responsible for the management of an investigation	
The Environment Agency	<i>Section 28 authorisation</i>	<i>Section 28 authorisation</i>
	Area Management Team Member, Regional Section Head, Head of a National Service, Head of a National Centre	Area Team Leader
	<i>Section 29 authorisation</i>	<i>Section 29 authorisation</i>
	Area Manager	Area Management Team Member, Regional Section Head, Head of a National Service, Head of a National Centre
The Financial Services Authority	Head of Department	Manager

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<i>(1)</i> <i>Relevant public authorities</i>	<i>(2)</i> <i>Prescribed offices etc.</i>	<i>(3)</i> <i>Urgent cases</i>
The Food Standards Agency	Section 28 authorisation Head of Division, Veterinary Director, Veterinary Head of HQ Team, Veterinary Head of Field Team, Director for Scotland, Director for Wales	
	Section 29 authorisation Head of Group	
The Intervention Board for Agricultural Produce	Senior Executive Officer	
The Personal Investment Authority	Head of Department	Manager
The Post Office	Territorial Security Manager	

PART II

Prescriptions for public authorities which are relevant public authorities for the purposes of s.28 only

<i>(1)</i> <i>Relevant public authorities</i>	<i>(2)</i> <i>Prescribed offices etc.</i>	<i>(3)</i> <i>Urgent cases</i>
The Health and Safety Executive	Band 2 Inspector	
A Health Authority established under section 8 of the National Health Service Act 1977	Senior Manager Pay Range 4	
A Special Health Authority established under section 11 of the National Health Service Act 1977	Chief Executive	
A National Health Service Trust established under section 5 of the National Health Service and Community Care Act 1990	Chief Executive	
The Royal Pharmaceutical Society of Great Britain	Director of Professional Standards, Head of Pharmacy Law	

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EXPLANATORY NOTE

(This note is not part of the Order)

This Order prescribes offices, ranks and positions for the purposes of section 30(1) of the Regulation of Investigatory Powers Act 2000 (“the 2000 Act”), under which individuals holding such offices, ranks or positions are designated persons for the purposes of granting authorisations under sections 28 and 29 of the 2000 Act.

An individual holding an office, rank or position listed in column 2 of Part 1 of the Schedule to the Order, with a public authority listed in column 1, or a more senior office, rank or position, may grant authorisations under either section 28 or section 29 unless otherwise indicated in the Schedule.

The public authorities listed in column 1 of Part II of the Schedule to the Order are the authorities listed in Part II of Schedule 1 to the Regulation of Investigatory Powers Act 2000. Such authorities are relevant public authorities for the purposes of section 28 only. An individual holding an office, rank or position listed in column 2 with such an authority, or a more senior office, rank or position, may only grant authorisations under section 28.

Additional offices, ranks and positions are prescribed for urgent cases.