

**2014 No. 467**

**ROAD TRAFFIC**

**INVESTIGATORY POWERS**

**PROCEEDS OF CRIME**

**The Driving Standards Agency and the Vehicle and Operator Services Agency (Merger) (Consequential Amendments) Order 2014**

<i>Made</i> - - - -	<i>3rd March 2014</i>
<i>Laid before Parliament</i>	<i>6th March 2014</i>
<i>Coming into force</i> - -	<i>1st April 2014</i>

The Secretary of State for Transport makes the following Order in exercise of the powers conferred by sections 30(1), (3) and (6), 46(4) and 78(5) of the Regulation of Investigatory Powers Act 2000(a) and sections 453(1) and (2) and 459(1) and (2) of the Proceeds of Crime Act 2002(b).

**Citation and commencement**

**1.** This Order may be cited as the Driving Standards Agency and the Vehicle and Operator Services Agency (Merger) (Consequential Amendments) Order 2014 and comes into force on 1st April 2014.

**Amendment to 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(c) is amended as follows.

(2) At the end of article 3 add—

“(5) In the entry for the Department for Transport in Part 1 of the Schedule—

(a) “former Driving Standards Agency(d) function” means a function of the Driving Standards Agency immediately before 1st April 2014; and

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(a) 2000 c.23

(b) 2002 c.29

(c) S.I. 2010/521 as amended by S.I. 2012/1500, S.I. 2013/472, S.I. 2013/602, S.I.2013/2788 and other amendments not relevant to this Order

(d) The Driving and Standards Agency, an executive agency of the Department for Transport, merged with the Vehicle and Operator Services Agency, also an executive agency of the Department for Transport, to form the Driver and Vehicle Services Agency.

(b) “former Vehicle and Operator Services Agency function” means a function of the Vehicle and Operator Services Agency immediately before 1st April 2014.”.

(3) The amendments set out in the Schedule to this Order have effect.

### **Amendment to the Regulation of Investigatory Powers (Authorisations Extending to Scotland) Order 2007**

3. In the Schedule to the Regulation of Investigatory Powers (Authorisations Extending to Scotland) Order 2007(a), in column 2 of the table, for the entry “The Driving Standards Agency”, substitute “The Driver and Vehicle Standards Agency”.

### **Authorisations granted before 1st April 2014**

4.—(1) Paragraph (2) applies in relation to an authorisation granted under section 28 or 29 of the Regulation of Investigatory Powers Act 2000 where the person granting the authorisation was entitled to do so by reason of holding an office, rank or position with the Driving Standards Agency or the Vehicle and Operators Services Agency.

(2) If the authorisation is in force immediately before 1st April 2014, it is to be treated on or after that date as having been authorised by a person of the equivalent office, rank or position with the Driver and Vehicle Standards Agency.

### **Amendment to the Proceeds of Crime Act 2002 (References to Financial Investigators) Order 2009**

5.—(1) Schedule 1 to the Proceeds of Crime Act 2002 (References to Financial Investigators) Order 2009(b) is amended as follows.

(2) In the entry relating to section 42(2)(c), in column 2 sub-paragraph (c)(xxi), for “the Vehicle and Operators Services Agency” substitute “the Driver and Vehicle Standards Agency(c).”.

(3) In the entry relating to section 45(3), in column 2 sub-paragraph (b)(xvi), for “the Vehicle and Operator Services Agency” substitute “the Driver and Vehicle Standards Agency.”.

(4) In the entry relating to section 68(3)(c), in column 2 sub-paragraph (b)(xx), for “the Vehicle and Operator Services Agency and is not below grade 7” substitute “the Driver and Vehicle Standards Agency and is not below grade 7.”.

(5) In the entry relating to section 191(2)(c), in column 2 sub-paragraph (c)(xix), for “the Vehicle and Operator Services Agency” substitute “the Driver and Vehicle Standards Agency.”.

(6) In the entry relating to section 194(3), in column 2 sub-paragraph (b)(xii), for “the Vehicle and Operator Services Agency” substitute “the Driver and Vehicle Standards Agency.”.

(7) In the entry relating to section 216(3)(c), in column 2 sub-paragraph (b)(xviii), for “the Vehicle and Operator Services Agency and is not below grade 7” substitute “the Driver and Vehicle Standards Agency and is not below grade 7.”.

(8) In the entry relating to section 290(4)(c), in column 2—

(a) in the paragraph beginning “In relation to England and Wales” in sub-paragraph (c)(xvi) for “the Vehicle and Operator Services Agency and is not below grade 7” substitute “the Driver and Vehicle Standards Agency and is not below grade 7.”;

(b) in the paragraph beginning “In relation to Northern Ireland” in sub-paragraph (c)(xii) for “the Vehicle and Operator Services Agency and is not below grade 7” substitute “the Driver and Vehicle Standards Agency and is not below grade 7.”.

(9) In the entry relating to section 303A(1), in column 2—

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(a) S.I. 2007/934 as amended by S.I. 2009/2748, S.I. 2009/3403, S.I. 2010/231, S.I. 2011/2085 and S.I. 2013/472

(b) S.I. 2009/975 as amended by S.I. 2009/2707, S.I. 2011/2085 and S.I. 2013/2318

(c) The Driver and Vehicle Standards Agency is an executive agency of the Department for Transport

- (a) in the paragraph beginning “In relation to England and Wales” in sub-paragraph (b)(xvii) for “the Vehicle and Operator Services Agency” substitute “the Driver and Vehicle Standards Agency.”;
  - (b) in the paragraph beginning “In relation to Northern Ireland” in sub-paragraph (b)(xiii) for “the Vehicle and Operator Services Agency” substitute “the Driver and Vehicle Standards Agency.”.
- (10) In the entry relating to section 352(7), in column 2—
- (a) in the paragraph beginning “In relation to England and Wales” in sub-paragraph (b)(xvii) for “the Vehicle and Operator Services Agency” substitute “the Driver and Vehicle Standards Agency.”;
  - (b) in the paragraph beginning “In relation to Northern Ireland” in sub-paragraph (b)(xiii) for “the Vehicle and Operator Services Agency” substitute “the Driver and Vehicle Standards Agency.”.
- (11) In the entry relating to section 353(11), in column 2—
- (a) in the paragraph beginning “In relation to England and Wales” in sub-paragraph (b)(xvii) for “the Vehicle and Operator Services Agency” substitute “the Driver and Vehicle Standards Agency.”;
  - (b) in the paragraph beginning “In relation to Northern Ireland” in sub-paragraph (b)(xiii) for “the Vehicle and Operator Services Agency” substitute “the Driver and Vehicle Standards Agency.”.
- (12) In the entry relating to section 378(1)(b), in column 2—
- (a) in the paragraph beginning “In relation to England and Wales” in sub-paragraph (b)(xxi) for “the Vehicle and Operator Services Agency” substitute “the Driver and Vehicle Standards Agency.”;
  - (b) in the paragraph beginning “In relation to Northern Ireland” in sub-paragraph (b)(xix) for “the Vehicle and Operator Services Agency” substitute “the Driver and Vehicle Standards Agency.”.
- (13) In the entry relating to section 378(2)(d), in column 2—
- (a) in the paragraph beginning “In relation to England and Wales” in sub-paragraph (b)(xx) for “the Vehicle and Operator Services Agency and is not below grade 7” substitute “the Driver and Vehicle Standards Agency and is not below grade 7.”;
  - (b) in the paragraph beginning “In relation to Northern Ireland” in sub-paragraph (b) (xviii) for “the Vehicle and Operator Services Agency and is not below grade 7” substitute “the Driver and Vehicle Standards Agency and is not below grade 7.”.
- (14) In the entry relating to section 378(3B), in column 2—
- (a) in the paragraph beginning “In relation to England and Wales” in sub-paragraph (b)(xvii) for “the Vehicle and Operator Services Agency” substitute “the Driver and Vehicle Standards Agency.”;
  - (b) in the paragraph beginning “In relation to Northern Ireland” in sub-paragraph (b)(xiii) for “the Vehicle and Operator Services Agency” substitute “the Driver and Vehicle Standards Agency.”.
- (15) In the entry relating to section 378(4)(a), in column 2—
- (a) in the paragraph beginning “In relation to England and Wales” in sub-paragraph (b)(xxi) for “the Vehicle and Operator Services Agency” substitute “the Driver and Vehicle Standards Agency.”;
  - (b) in the paragraph beginning “In relation to Northern Ireland” in sub-paragraph (b)(xviii) for “the Vehicle and Operator Services Agency” substitute “the Driver and Vehicle Standards Agency.”.
- (16) In the entry relating to section 378(6)(c), in column 2—

- (a) in the paragraph beginning “In relation to England and Wales” in sub-paragraph (b)(xx) for “the Vehicle and Operator Services Agency and is not below grade 7” substitute “the Driver and Vehicle Standards Agency and is not below grade 7.”;
- (b) in the paragraph beginning “In relation to Northern Ireland” in sub-paragraph (b)(xvii) for “the Vehicle and Operator Services Agency and is not below grade 7” substitute “the Driver and Vehicle Standards Agency and is not below grade 7.”.

Signed by authority of the Secretary of State for Transport

*Stephen Hammond*  
Parliamentary Under Secretary of State  
Department for Transport

3rd March 2014

## SCHEDULE

Article 2

In Part 1 of the Schedule to the Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence) Order 2010, for the entry for “The Department for Transport” substitute—

“The Department for Transport	Head of Enforcement in the Maritime and Coastguard Agency	Enforcement Officer in the Maritime and Coastguard Agency	Paragraphs (b) and (d)
	<b>Section 28 authorisation</b> Chief Executive of the Driver and Vehicle Standards Agency in respect of an authorisation in relation to a former Driving Standards Agency function	-	Paragraphs (b) and (d)
	<b>Section 28 authorisation</b> Head of Intelligence, Head of Investigations or Regional Operations Manager in the Driver and Vehicle Standards Agency in respect of an authorisation in relation to a former Vehicle and Operator Services Agency function	<b>Section 28 authorisation</b> Area Manager or Regional Intelligence Coordinator in the Driver and Vehicle Standards Agency in respect of an authorisation in relation to a former Vehicle and Operator	Paragraphs (b) and (d)

		Services Agency function	
	<b>Section 29 authorisation</b> Head of Intelligence, Head of Investigations or Regional Operations Manager in the Driver and Vehicle Standards Agency in respect of an authorisation in relation to a former Vehicle and Operator Services Agency function	<b>Section 29 authorisation</b> Regional Intelligence Coordinator in the Driver and Vehicle Standards Agency in respect of an authorisation in relation to a former Vehicle and Operator Services Agency function	Paragraphs (b) and (d)”

### EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order makes amendments to orders in consequence of the merging of the Driving Standards Agency (DSA) and the Vehicle and Operator Services Agency (VOSA) to establish the Driver and Vehicle Standards Agency (DVSA). References to the DSA and VOSA are replaced with references to the DVSA.

Article 4 makes provision in relation to authorisations under section 28 or 29 of the Regulation of Investigatory Powers Act 2000 that remain in force on the coming into force of this Order.

A regulatory impact assessment has not been prepared for this Order as no impact on the private or voluntary sectors is foreseen. An explanatory memorandum has been prepared and is available alongside this instrument on the website, [www.legislation.gov.uk](http://www.legislation.gov.uk).

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