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SCOTTISH STATUTORY INSTRUMENTS

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**2018 No. 218**

**INVESTIGATORY POWERS**

**The Regulation of Investigatory Powers (Prescription of Offices, etc. and Specification of Public Authorities) (Scotland) Amendment Order 2018**

<i>Made</i>	- - - -	<i>27th June 2018</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>29th June 2018</i>
<i>Coming into force</i>	- -	<i>1st October 2018</i>

The Scottish Ministers make the following Order in exercise of the powers conferred by section 8(1) of the Regulation of Investigatory Powers (Scotland) Act 2000(1) and all other powers enabling them to do so.

**Citation and commencement**

1. This Order may be cited as the Regulation of Investigatory Powers (Prescription of Offices, etc. and Specification of Public Authorities) (Scotland) Amendment Order 2018 and comes into force on 1st October 2018.

**Amendment of the Regulation of Investigatory Powers (Prescription of Offices, etc. and Specification of Public Authorities) (Scotland) Order 2010**

2.—(1) The Regulation of Investigatory Powers (Prescription of Offices, etc. and Specification of Public Authorities) (Scotland) Order 2010(2) is amended in accordance with paragraph (2).

(2) In column 2 of the table in schedule 1, after “*Transport Scotland: Director*”, insert “*Social Security Scotland: Chief Executive*”.

St Andrew’s House, Edinburgh  
27th June 2018

*MICHAEL MATHESON*  
A member of the Scottish Government

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(1) 2000 asp 11.  
(2) S.S.I. 2010/350. There are amendments to schedule 1 not relevant to this Order.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

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

This Order amends the Regulation of Investigatory Powers (Prescription of Offices, etc. and Specification of Public Authorities) (Scotland) Order 2010 (“the 2010 Order”), which prescribes offices, ranks and positions for the purposes of section 8(1) of the Regulation of Investigatory Powers (Scotland) Act 2000 (“the 2000 Act”). Under that section individuals holding such offices, ranks and positions may grant authorisations under sections 6 and 7 of the 2000 Act for the use of directed surveillance and covert human intelligence sources respectively.

Specifically, Article 2(2) of this Order prescribes the person holding the position of Chief Executive of Social Security Scotland. Social Security Scotland is part of the Scottish Administration.

The Scottish Administration is a relevant public authority for the purposes of section 8 of the 2000 Act.