2003 No. 183

INVESTIGATORY POWERS

The Regulation of Investigatory Powers (Covert Surveillance - Code of Practice) (Scotland) Order 2003

Made	*10th March 2003*
Coming into force	*11th March 2003*

Whereas in pursuance of section 24(1) of the Regulation of Investigatory Powers (Scotland) Act 2000(**a**) (hereinafter referred to as "the 2000 Act") the Scottish Ministers are under a duty to issue one or more codes of practice relating to the exercise and performance of the powers and duties mentioned in subsection (2) of that section;

and whereas in pursuance of section 24(3) of the 2000 Act the Scottish Ministers prepared and published a draft code of practice relating to covert surveillance under the 2000 Act and have considered representations made to them thereon and modified the draft accordingly;

and whereas in pursuance of section 24(4) of the 2000 Act the Scottish Ministers have laid that draft code before the Scottish Parliament;

and whereas a draft of this Order has been laid before, and approved by a resolution of the Scottish Parliament;

now, therefore, the Scottish Ministers, in exercise of the powers conferred by section 24(5) of the 2000 Act hereby make the following Order:

Citation and commencement

1. This Order may be cited as the Regulation of Investigatory Powers (Covert Surveillance - Code of Practice) (Scotland) Order 2003 and shall come into force on the day after the day on which it is made.

(**a**) 2000 asp 11.

Covert Surveillance - Code of Practice

2. The code of practice entitled "Covert Surveillance" issued by the Scottish Ministers on 30th January 2003 relating to covert surveillance under the 2000 Act shall come into force on the day after the day on which this Order is made.

HUGH HENRY
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
10th March 2003

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force the code of practice issued under section 24 of the Regulation of Investigatory Powers (Scotland) Act 2000 relating to covert surveillance. A person exercising or performing a power or duty to which the code applies shall, in doing so, have regard to the provisions of the code in so far as they are applicable.

The code of practice will be published by the Stationery Office Limited and copies may be obtained from the Stationery Office bookshops. It will also be published on the Stationery Office website at http://www.scotland-legislation.hmso.gov.uk.

SCOTTISH STATUTORY INSTRUMENTS

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