

# SL(5)192 – The Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence sources) (Amendment) (Wales) Order 2018

## Background and Purpose

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This Order amends the Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2010 (SI 2010/521) ('the 2010 Order') by inserting an entry into Part 1 of the Schedule to the Principal Order in relation to the Welsh Revenue Authority ('WRA'). The purpose of this amendment is to prescribe the rank of those persons within WRA (at civil services grade 7 of equivalent) who can authorise activity for the purposes of sections 28 and 29 (for the use of directed surveillance and covert human intelligences sources) of the Regulation of Investigatory Powers Act 2000.

## Procedure

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Negative

## Technical Scrutiny

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No points are identified for reporting under Standing Order 21.2 in respect of this instrument.

## Merits Scrutiny

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This Order makes as technical amendment to the 2010 Order that will enable an appropriately qualified person at civil services grade 7 or equivalent to grant authorisation for the use of directed surveillance and covert human intelligence sources in relation to WRA wider powers for the investigation of offences. The Explanatory Memorandum details the policy rationale which does not seem unreasonable. Nevertheless, attention is drawn to the Regulations on the basis that they are of legal or political importance or give rise to issues of public policy that are likely to be of interest to the Assembly. [Standing Order 21.3(ii)]

## Implications arising from exiting the European Union

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None.

## Government Response

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No government response is required.

### **Legal Advisers**

**Constitutional and Legislative Affairs Committee**

**26 February 2018**

