
**REGULATION OF INVESTIGATORY POWERS
(CODE OF PRACTICE) ORDER 2021**

The Administrator makes the following Order in exercise of the power under section 38 (2) and (3) of the Regulation of Investigatory Powers Ordinance 2012(a).

Citation and commencement

1. This Order may be cited as the Regulation of Investigatory Powers (Codes of Practice) Order 2021.
2. This Order comes into force on 9 October 2021.

Revision of Codes of Practice issued under section 38 of Regulation of Investigatory Powers Ordinance 2012

3.—(1) The whole of the Code of Practice on Covert Surveillance and Property Interference(b) is revised and replaced by the Code of Practice on Covert Surveillance and Property Interference 2021(c) issued on 8 October 2021 under section 38 of Regulation of Investigatory Powers Ordinance 2012.

(2) The whole of the Code of Practice on Covert Human Intelligence Sources(d) is revised and replaced by the Code of Practice on Covert Human Intelligence Sources 2021(e) issued on 8 October 2021 under section 38 of Regulation of Investigatory Powers Ordinance 2021.

(3) Both new Codes of Practice referred to in this section come into force on 9 October 2021.

Dated this 07th day of October 2021.

R. Thomson,
Administrator,
Sovereign Base Areas.

(a) Ordinance 26/2012 as amended by 20/2016
(b) P.I. 28/2012
(c) Administration Notice (18)
(d) P.I. 29/2012
(e) Administration Notice (17)

EXPLANATORY NOTE

(This note is not part of the Order)

1. This explanatory note relates to the Regulation of Investigatory Powers (Code of Practice) Order 2021 (“the Order”). It has been prepared by the office of the Attorney General and Legal Adviser in order to assist the reader of the Order. It does not form part of the Order. This note should be read in conjunction with the Order. It is not, and is not meant to be, a comprehensive description of the Order.

2. Section 38 of the Regulation of Investigatory Powers Ordinance 2012 enables the Administrator to revise and issue Codes of Practice. A person exercising a power or performing a duty in relation to which provision is made by a Code of Practice must have regard to the Codes of Practice (section 39(1)).

3. This Order provides that as from 1 October 2021 the revision of the Code of Practice on Covert Surveillance and Property Interference (Public instrument 28/12) and the Code of Practice on Covert Human Intelligence Sources (Public instrument 29/12) with, respectively, the Code of Practice on Covert Surveillance and Property Interference 2021 (Administration Notice 18); and the Code of Practice on Covert Human Intelligence Sources 2021 (Administration Notice 17).

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