

5 REGULATION OF INVESTIGATORY POWERS ACT 2000 - LAWFUL ACQUISITION AND DISCLOSURE OF COMMUNICATIONS DATA - SINGLE POINT OF CONTACT (AN247-2004)

The 2000 Act creates a regulatory framework for lawful access to and handling of "communications data" (CD). CD is essentially information that relates to the use that is made of a communications service. However it does not include the contents of a communication. The regulations made under the 2000 Act designate which officers of the Council may grant applications for the disclosure of communications data internally or by third parties but only where the designated officer believes it is necessary for the purpose of preventing or detecting crime or of preventing disorder or in the interests of public safety.

The Home Office has issued a draft Code of Practice on the Accessing of Communications Data provides that notices and authorisations for communications data should be channelled through single points of contact within each public authority who require to be registered with the Home Office.

It is recommended that the Legal Manager shall be designated as the Single Point of Contact for Dundee City Council for the purposes of this legislation.

In view of the timescales involved this note has been approved by the Depute Chief Executive (Support Services) in consultation with the Convener, Councillors Barrie, Wallace and Macpherson.