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*Minister of State*

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**NORTHERN IRELAND (EMERGENCY PROVISIONS) ACT 1991  
DRAFT CODE OF PRACTICE FOR AUTHORISED INVESTIGATORS**

I enclose a draft copy of the revised Code of Practice for Authorised Investigators which the Secretary of State has today published for consultation.

Section 57 of the 1991 Act empowers the Secretary of State, in certain circumstances, to appoint persons, other than police officers, to exercise the additional powers of investigation set out in Schedule 5 to the Act. Paragraph 7 of Schedule 5 requires the Secretary of State to make a Code of Practice in connection with the exercise by authorised investigators of the powers conferred on them by that Schedule.

The current Code of Practice came into force in January 1994 following an extensive consultation process. An amendment to the 1991 Act contained in section 83 of the Criminal Justice and Public Order Act 1994, gives authorised investigators the power to obtain information in writing rather than require individuals to attend for interview and produce documents. This amendment to the Act, which should help both authorised investigators and those required to assist them in their investigations, has been reflected in the draft

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revised Code of Practice attached at Annex A. The main changes are the inclusion of a new section 7 and paragraph 8.3 as well as small amendments to paragraphs 1.2, 2.1, 3.1, 6.1, and 8.7(e).

Authorised Investigators have a duty to comply with the provisions of the Code which is admissible in evidence in any criminal or civil proceedings. The Code also contains important safeguards for persons interviewed by authorised investigators.

Although the changes to the Code are relatively minor the Secretary of State is required to publish a revised draft of the Code and consider any representations made to him about it.

I should be grateful if you would let me have any comments on the revised draft no later than 31 May 1995.

THE RT HON SIR JOHN WHEELER DL MP  
Minister of State for Northern Ireland