

**Changes to legislation:** Regulation of Investigatory Powers Act 2000, Paragraph 9 is up to date with all changes known to be in force on or before 08 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### [<sup>F1</sup>SCHEDULE A1

#### MONETARY PENALTY NOTICES IN RELATION TO CERTAIN UNLAWFUL INTERCEPTIONS

##### Textual Amendments

- F1** Sch. A1 inserted (17.6.2011) by [The Regulation of Investigatory Powers \(Monetary Penalty Notices and Consents for Interceptions\) Regulations 2011 \(S.I. 2011/1340\)](#), **regs. 1(2), 2(4)** {Sch.}

### PART 2

#### INFORMATION PROVISIONS

##### *Information notices*

- 9 (1) The Commissioner may by notice (“an information notice”) request any person on whom the Commissioner is considering whether to serve a Part 1 notice of intent or a Part 1 monetary penalty notice to provide such information as the Commissioner reasonably requires for the purpose of deciding whether to serve the Part 1 notice concerned.
- (2) Where the Commissioner requests that documents be produced, the Commissioner may take copies of, or extracts from, any document so produced.
- (3) An information notice must—
- specify or describe the information to be provided,
  - specify the manner in which, and the period within which, the information is to be provided,
  - state that the Commissioner considers that the information is information which the Commissioner reasonably requires for the purpose of deciding whether to serve a Part 1 notice of intent or (as the case may be) a Part 1 monetary penalty notice,
  - state the Commissioner's grounds for this view, and
  - provide details of the rights of appeal under paragraph 10 in respect of the information notice.
- (4) For the purposes of sub-paragraph (3)(b)—
- specifying the manner in which the information is to be provided may include specifying the form in which it is to be provided, and
  - the specified period within which the information is to be provided must not be less than 28 days beginning with the day after the day on which the information notice is served.

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- (5) Subject to sub-paragraph (6), the Commissioner may not vary an information notice.
- (6) The Commissioner may vary an information notice by extending the period within which the information is to be provided if the person on whom the notice is served appeals under paragraph 10 in relation to the notice.
- (7) Sub-paragraph (5) does not prevent the Commissioner from issuing a new information notice instead of varying such a notice.
- (8) The Commissioner may cancel an information notice.
- (9) A variation or cancellation of an information notice is effected by serving on the person on whom the notice was served a notice setting out the variation or cancellation.]

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 30(6A)-(6D) inserted by [2016 anaw 6 s. 187\(2\)\(b\)](#)
- Sch. 1 para. 16A and cross-heading inserted by [2016 anaw 6 s. 187\(3\)](#)
- Sch. 1 Pt. 1 para. 20H inserted by [2013 c. 32 Sch. 12 para. 74](#)