Changes to legislation: *Regulation of Investigatory Powers Act 2000, Cross Heading: Membership of the Tribunal is up to date with all changes known to be in force on or before 20 May 2024. 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

SCHEDULE 3

THE TRIBUNAL

Membership of the Tribunal

1 (1) A person shall not be appointed as a member of the Tribunal unless he is—

(a) a person who holds or has held a high judicial office (within the meaning of **[**[F1]Part 3 of the Constitutional Reform Act 2005) or is or has been a member of the Judicial Committee of the Privy Council**]**);

[[F2](b) a person who satisfies the judicial-appointment eligibility condition on a 7-year basis;**]**

(c) an advocate or solicitor in Scotland of at least **[**[F3]seven**]** years' standing; or

(d) a member of the Bar of Northern Ireland or **[**[F4]solicitor of the Court of Judicature of Northern Ireland**]** of at least **[**[F3]seven**]** years' standing.

(2) Subject to the following provisions of this paragraph, the members of the Tribunal shall hold office during good behaviour.

(3) A member of the Tribunal shall vacate office at the end of the period of five years beginning with the day of his appointment, but shall be eligible for reappointment.

(4) A member of the Tribunal may be relieved of office by Her Majesty at his own request.

(5) A member of the Tribunal may be removed from office by Her Majesty on an Address presented to Her by both Houses of Parliament.

(6) If the Scottish Parliament passes a resolution calling for the removal of a member of the Tribunal, it shall be the duty of the Secretary of State to secure that a motion for the presentation of an Address to Her Majesty for the removal of that member, and the resolution of the Scottish Parliament, are considered by each House of Parliament.

Textual Amendments

F1 Words in Sch. 3 para. 1(1)(a) substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), ss. 145, 148, **Sch. 17 para. 30(2)**; S.I. 2009/1604, **art. 2(e)**

F2 Sch. 3 para. 1(1)(b) substituted (21.7.2008) by Tribunals, Courts and Enforcement Act 2007 (c. 15), ss. 50, 148, **Sch. 10 para. 33(2)**; S.I. 2008/1653, **art. 2(d)**

F3 Words in Sch. 3 para. 1(1)(c)(d) substituted (21.7.2008) by Tribunals, Courts and Enforcement Act 2007 (c. 15), ss. 50, 148, **Sch. 10 para. 33(3)**; S.I. 2008/1653, **art. 2(d)**

F4 Words in Sch. 3 para. 1(1)(d) substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), ss. 59, 148(1), **Sch. 11 para. 5**; S.I. 2009/1604, **art. 2(d)**

Changes to legislation:
Regulation of Investigatory Powers Act 2000, Cross Heading: Membership of the Tribunal is up to date with all changes known to be in force on or before 20 May 2024. 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.
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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)
- s. 65(2)(ba) inserted by 2024 c. 9 s. 11(2)(a)
- s. 65(4AA)(4AB) inserted by 2024 c. 9 s. 11(2)(b)
- s. 65(5)(czha)(czhb) inserted by 2024 c. 9 s. 6(6)(a)
- s. 65(8)(bba) inserted by 2024 c. 9 s. 6(8)(b)
- s. 67(5)(a) words renumbered as s. 67(5)(a) by 2024 c. 9 s. 11(3)(b)(i)
- s. 67(5)(b) and word inserted by 2024 c. 9 s. 11(3)(b)(ii)
- 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