Changes to legislation: *Regulation of Investigatory Powers Act 2000, Cross Heading: Variation or cancellation of notices is up to date with all changes known to be in force on or before 26 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

[F1SCHEDULE 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 1

MONETARY PENALTY NOTICES

Variation or cancellation of notices

4 (1) The Commissioner may, subject as follows, vary or cancel a monetary penalty notice.

(2) The Commissioner may not vary a monetary penalty notice in a way that is detrimental to the person on whom it was served (whether by increasing the amount of the monetary penalty, by reducing the period specified in the notice as the period within which the penalty must be paid, by imposing a new enforcement obligation or making an existing enforcement obligation effective earlier or otherwise more onerous, or otherwise).

(3) The Commissioner must—

(a) in the case of a variation which reduces the amount of a monetary penalty, repay any excess already paid in accordance with the notice, and

(b) in the case of a cancellation, repay any amount already paid in accordance with the notice.

(4) A variation or cancellation of a monetary penalty notice is effected by serving on the person on whom the monetary penalty notice was served a notice setting out the variation or cancellation.

(5) The Commissioner may not serve another monetary penalty notice on a person in respect of an interception if the Commissioner has cancelled a previous notice served on the person in respect of the same interception.

(6) If the Commissioner refuses a request by a person to vary or cancel a monetary penalty notice which has been served on the person, the Commissioner must inform the person of that fact.]

Changes to legislation:
Regulation of Investigatory Powers Act 2000, Cross Heading: Variation or cancellation of notices is up to date with all changes known to be in force on or before 26 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