



# Regulation of Investigatory Powers Act 2000

## 2000 CHAPTER 23

### PART V

#### MISCELLANEOUS AND SUPPLEMENTAL

##### *Supplemental*

#### [<sup>F1</sup>77B Procedure for order of district judge under section <sup>F2</sup>... 32A: Northern Ireland

- (1) The Lord Chancellor may by order make further provision about the procedure and practice to be followed in relation to an application to a district judge (magistrates' courts) in Northern Ireland for an order under section <sup>F3</sup>... 32A.
- (2) Such an order may, in particular, provide—
  - (a) for the manner in which, and time within which, an application may be made,
  - (b) that the district judge (magistrates' courts) is to determine an application—
    - (i) in chambers,
    - (ii) in the absence of the person to whom the authorisation or notice which is the subject of the application relates,
  - (c) that any hearing is to be held in private,
  - (d) that notice of an order given is not to be given to—
    - (i) the person to whom the authorisation or notice which is the subject of the order relates, or
    - (ii) such a person's legal representatives.
- (3) An order of the Lord Chancellor under this section may not make provision which, if it were contained in an Act of the Northern Ireland Assembly, would be within the legislative competence of the Northern Ireland Assembly and would deal with a transferred matter (within the meaning of section 4(1) of the Northern Ireland Act 1998).

**Changes to legislation:** Regulation of Investigatory Powers Act 2000, Section 77B is up to date with all changes known to be in force on or before 19 November 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

- (4) The power of the Magistrates' Courts Rules Committee under Article 13 of the Magistrates' Courts (Northern Ireland) Order 1981 (S.I. 1981/1675 (N.I. 26)) to regulate and prescribe the procedure and practice to be followed in relation to an application to a district judge (magistrates' courts) in Northern Ireland for an order under section <sup>F4</sup>... 32A is subject to, but is not otherwise constrained by, [<sup>F5</sup>section 32B] and any order made under this section.]

#### Textual Amendments

- F1** Ss. 77A, 77B inserted (1.11.2012 for specified purposes) by [Protection of Freedoms Act 2012 \(c. 9\)](#), s. 120, [Sch. 9 para. 15](#) (with s. 97); S.I. 2012/2075, art. 4(e)
- F2** Words in s. 77B heading omitted (coming into force in accordance with reg. 1(4)(e)(5) of the amending S.I.) by virtue of [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), [Sch. 2 para. 1\(3\)\(a\)](#)
- F3** Words in s. 77B(1) omitted (coming into force in accordance with reg. 1(4)(e)(5) of the amending S.I.) by virtue of [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), [Sch. 2 para. 1\(3\)\(b\)](#)
- F4** Words in s. 77B(4) omitted (coming into force in accordance with reg. 1(4)(e)(5) of the amending S.I.) by virtue of [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), [Sch. 2 para. 1\(3\)\(c\)\(i\)](#)
- F5** Words in s. 77B(4) substituted (coming into force in accordance with reg. 1(4)(e)(5) of the amending S.I.) by [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), [Sch. 2 para. 1\(3\)\(c\)\(ii\)](#)

**Changes to legislation:**

Regulation of Investigatory Powers Act 2000, Section 77B is up to date with all changes known to be in force on or before 19 November 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.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- s. 77B(1) words substituted by [2016 c. 25 Sch. 10 para. 58\(2\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 paras. 57, 58 omitted (5.2.2019) prior to commencement by virtue of S.I. 2018/1123, reg. 1(4)(d)(5), Sch. 1 para. 28 (see S.I. 2019/174, reg. 2(c)))
- s. 77B(4) words substituted by [2016 c. 25 Sch. 10 para. 58\(2\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 paras. 57, 58 omitted (5.2.2019) prior to commencement by virtue of S.I. 2018/1123, reg. 1(4)(d)(5), Sch. 1 para. 28 (see S.I. 2019/174, reg. 2(c)))
- s. 77B(4) words substituted by [2016 c. 25 Sch. 10 para. 58\(3\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 paras. 57, 58 omitted (5.2.2019) prior to commencement by virtue of S.I. 2018/1123, reg. 1(4)(d)(5), Sch. 1 para. 28 (see S.I. 2019/174, reg. 2(c)))

**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](#)