



Interception of Communications Act 1985

1985 CHAPTER 56

7 The Tribunal

- (1) There shall be a tribunal (in this Act referred to as " the Tribunal ") in relation to which the provisions of Schedule 1 to this Act shall apply.
- (2) Any person who believes that communications sent to or by him have been intercepted in the course of their transmission by post or by means of a public telecommunication system may apply to the Tribunal for an investigation under this section.
- (3) On such an application (other than one appearing to the Tribunal to be frivolous or vexatious), the Tribunal shall investigate—
 - (a) whether there is or has been a relevant warrant or a relevant certificate; and
 - (b) where there is or has been such a warrant or certificate, whether there has been any contravention of sections 2 to 5 above in relation to that warrant or certificate.
- (4) If, on an investigation, the Tribunal, applying the principles applicable by a court on an application for judicial review, conclude that there has been a contravention of sections 2 to 5 above in relation to a relevant warrant or a relevant certificate, they shall—
 - (a) give notice to the applicant stating that conclusion ;
 - (b) make a report of their findings to the Prime Minister; and
 - (c) if they think fit, make an order under subsection (5) below.
- (5) An order under this subsection may do one or more of the following, namely—
 - (a) quash the relevant warrant or the relevant certificate;
 - (b) direct the destruction of copies of the intercepted material or, as the case may be, so much of it as is certified by the relevant certificate ;
 - (c) direct the Secretary of State to pay to the applicant such sum by way of compensation as may be specified in the order.
- (6) A notice given or report made under subsection (4) above shall state the effect of any order under subsection (5) above made in the case in question.
- (7) If, on an investigation, the Tribunal come to any conclusion other than that mentioned in subsection (4) above, they shall give notice to the applicant stating that there has

been no contravention of sections 2 to 5 above in relation to a relevant warrant or a relevant certificate.

- (8) The decisions of the Tribunal (including any decisions as to their jurisdiction) shall not be subject to appeal or liable to be questioned in any court.
- (9) For the purposes of this section—
- (a) a warrant is a relevant warrant in relation to an applicant if—
 - (i) the applicant is specified or described in the warrant; or
 - (ii) an address used for the transmission of communications to or from a set of premises in the British Islands where the applicant resides or works is so specified;
 - (b) a certificate is a relevant certificate in relation to an applicant if and to the extent that an address used as mentioned in paragraph (a)(ii) above is specified in the certificate for the purpose of including communications sent to or from that address in the certified material.