
CHAPTER 23

REGULATION OF INVESTIGATORY POWERS ACT 2000

PART I
COMMUNICATIONS

CHAPTER I

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SCHEDULE A1 — MONETARY PENALTY NOTICES IN RELATION TO CERTAIN UNLAWFUL INTERCEPTIONS

PART 1 — MONETARY PENALTY NOTICES

General

1 (1) A monetary penalty notice is a notice requiring the...

Enforcement obligations

2 (1) The Commissioner may include one or more than one...

Consultation requirements before service of notices

3 (1) The Commissioner must proceed in accordance with sub-paragraphs (2)...

Variation or cancellation of notices

4 (1) The Commissioner may, subject as follows, vary or cancel...

Appeals against notices

5 (1) A person on whom a monetary penalty notice is...

Enforcement of notices

6 (1) Sub-paragraphs (2) and (3) apply in relation to any...

Guidance

7 (1) The Commissioner must prepare and issue guidance on how...

Interpretation: Part 1

8 In this Part— “ address ” means— in the case...

PART 2 — INFORMATION PROVISIONS
Information notices

9 (1) The Commissioner may by notice (“an information notice”) request...

Appeals against notices

10 (1) A person on whom an information notice is served...

Enforcement of notices

11 (1) The Commissioner may serve a Part 2 monetary penalty...

Technical assistance for the Commissioner

12 (1) OFCOM must comply with any reasonable request made by...

Interpretation: Part 2

13 In this Part— “ the Commissioner ” has the meaning...

SCHEDULE 1 — Relevant Public Authorities

Part I — RELEVANT AUTHORITIES FOR THE PURPOSES OF SS. 28 AND 29

Police forces etc.

1 Any police force.
1A The Civil Nuclear Constabulary.
2 The National Crime Agency.
2A .............
3 The National Crime Squad.
4 The Serious Fraud Office.
4A .............
4B The force comprising the constables appointed under article 3 of...

The intelligence services

5 Any of the intelligence services.

The armed forces

6 Any of Her Majesty’s forces.

Revenue and Customs

7 Her Majesty's Revenue and Customs.
8 The Commissioners of Inland Revenue.

Government departments

9 .............
9ZA .............
9ZB .............
9ZC The Department for Business, Energy and Industrial Strategy.
9A The Ministry of Housing, Communities and Local Government.
10 .............

The Office of the Deputy Prime Minister.

...
The Department for Environment, Food and Rural Affairs.

11 The Department of Health and Social Care.
12 The Home Office.

13ZA The Ministry of Justice

13A The Department for Transport.

The Welsh Assembly Government

16 The Welsh Assembly Government.

Local authorities

17 Any county council or district council in England, a London...
17A Any fire and rescue authority under the Fire and Rescue...

Other bodies

17B The Charity Commission.
18 The Environment Agency.
19 The Financial Conduct Authority.
19A The Prudential Regulation Authority.
20 The Food Standards Agency.
20A Gambling Commission
20B The Competition and Markets Authority.
20C The Office of the Police Ombudsman for Northern Ireland.
20D The Gangmasters and Labour Abuse Authority.
20E The Care Quality Commission.
20F The Health and Safety Executive.
21 The Office of Communications.
22 The Office of the Police Ombudsman for Northern Ireland.
23 The Department of Justice.

Northern Ireland authorities

23A The Department of Agriculture and Rural Development.
23B The Department of Enterprise, Trade and Investment.
23C The Department of Justice.
23D Any district council (within the meaning of section 44 of...
23E The Department of Environment.

Part II — RELEVANT AUTHORITIES FOR THE PURPOSES ONLY OF S. 28

The Health and Safety Executive

24 Relevant authorities for the purposes only of s. 28
Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Regulation of Investigatory Powers Act 2000. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

NHS bodies in England and Wales

25 Relevant authorities for the purposes only of s. 28
26 A Special Health Authority established under section 28 of the...
27 Relevant authorities for the purposes only of s. 28
27A Relevant authorities for the purposes only of s. 28

HM Chief Inspector of Education, Children’s Services and Skills

27B Her Majesty's Chief Inspector of Education, Children's Services and Skills....

The Information Commissioner

27C The Information Commissioner.

27D Relevant authorities for the purposes only of s. 28

The General Pharmaceutical Council.

28 The General Pharmaceutical Council.

28A Relevant authorities for the purposes only of s. 28

28B .............

The Department for Work and Pensions

28C The Department for Work and Pensions.

28D Relevant authorities for the purposes only of s. 28

Universal service providers

28E A universal service provider (within the meaning of Part 3... Universal service providers

The Natural Resources Body for Wales

28F The Natural Resources Body for Wales.

Northern Ireland authorities

29 The Department of Health, Social Services and Public Safety.
30 The Department for Regional Development.
31 The Department for Social Development.
32 The Department of Culture, Arts and Leisure.
33 The Foyle, Carlingford and Irish Lights Commission.
34 The Fisheries Conservancy Board for Northern Ireland.
35 A Health and Social Services trust established under Article 10...
36 A Health and Social Services Board established under Article 16...
37 The Health and Safety Executive for Northern Ireland.
38 The Northern Ireland Central Services Agency for the Health and...
39 The Fire Authority for Northern Ireland.
40 The Northern Ireland Housing Executive.

SCHEDULE 2 — Persons having the appropriate permission

Requirement that appropriate permission is granted by a judge

1 (1) Subject to the following provisions of this Schedule, a...

Data obtained under warrant etc.

2 (1) This paragraph applies in the case of protected information...

Data obtained by the intelligence services under statute but without a warrant

3 (1) This paragraph applies in the case of protected information...

Data obtained under statute by other persons but without a warrant

4 (1) This paragraph applies— (a) in the case of protected...

Data obtained without the exercise of statutory powers

5 (1) This paragraph applies in the case of protected information...

General requirements relating to the appropriate permission

6 (1) A person does not have the appropriate permission in...

Duration of permission

7 (1) A permission granted by any person under any provision...

Formalities for permissions granted by the Secretary of State

8 A permission for the purposes of any provision of this...

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Membership of the Tribunal

1 (1) A person shall not be appointed as a member...

President and Vice-President

2 (1) Her Majesty may by Letters Patent appoint as President...

Members of the Tribunal with special responsibilities

3 (1) The President of the Tribunal shall designate one or...

Salaries and expenses

4 (1) The Secretary of State shall pay to the members...

Officers

5 (1) The Secretary of State may, after consultation with the...
Parliamentary disqualification

6 In Part II of Schedule 1 to the House of...

SCHEDULE 4 — Consequential amendments

The Post Office Act 1953 (c. 36)

The Post Office Act 1969 (c. 48)

The Telecommunications Act 1984 (c. 12)

In section 45 of the Telecommunications Act 1984 (offence of...

The Security Service Act 1989 (c. 5)

(1) In section 1 of the Security Service Act 1989...

The Official Secrets Act 1989 (c. 6)

In section 4(3)(a) of the Official Secrets Act 1989 (offence...

The Intelligence Services Act 1994 (c. 13)

In section 11 of the Intelligence Services Act 1994 (interpretation),...

The Criminal Procedure and Investigations Act 1996 (c. 25)

(1) In each of sections 3(7), 7(6), 8(6) and 9(9)...

The Police Act 1997 (c. 50)

(1) In section 91(9) of the Police Act 1997 (staff...

The Northern Ireland Act 1998 (c. 47)

In paragraph 17(b) of Schedule 2 to the Northern Ireland...

The Electronic Communications Act 2000 (c. 7)

In section 4(2) of the Electronic Communications Act 2000 (exception...

The Financial Services and Markets Act 2000 (c. 8)

In section 394(7) of the Financial Services and Markets Act...

The Terrorism Act 2000 (c. 11)

(1) In section 9(2)(d) of the Terrorism Act 2000 (proceedings...

SCHEDULE 5 — Repeals
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View outstanding changes

Changes and effects yet to be applied to:
- Pt. 1 Ch. 2 omitted by 2016 c. 25 Sch. 10 para. 54
- s. 77A heading words substituted by 2016 c. 25 Sch. 10 para. 57(2)(a) (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. 77A heading words substituted by 2016 c. 25 Sch. 10 para. 57(2)(b) (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 heading 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. 3(3B) words inserted by 2019 c. 3 Sch. 4 para. 24
- s. 18(1)(dc) repealed by 2018 c. 13 Sch. 3 para. 9
- s. 18(2)(zb) words repealed by 2018 c. 13 Sch. 3 para. 9
- s. 30(6) words inserted by 2016 anaw 6 s. 187(2)(a)
- s. 65(2)(c) words substituted by 2016 c. 25 s. 243(1)(a)
- s. 71(2) words omitted by 2016 c. 25 Sch. 10 para. 56
- s. 76A(3)(a) and word omitted by S.I. 2019/742 reg. 9(a)(i)
- s. 76A(3)(b) word omitted by S.I. 2019/742 reg. 9(a)(ii)
- s. 76A(10)(a) and word omitted by S.I. 2019/742 reg. 9(a)(i)
- s. 76A(10)(b) word omitted by S.I. 2019/742 reg. 9(a)(ii)
- s. 76A(11) words omitted by S.I. 2019/742 reg. 9(b)
- s. 77A(1) words substituted by 2016 c. 25 Sch. 10 para. 57(2)(a) (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)))
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- s. 77A(3) words substituted by 2016 c. 25 Sch. 10 para. 57(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)))
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- 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)))
- s. 78(3)(a) words omitted by 2016 c. 25 Sch. 10 para. 59
- s. 81(9) words omitted by 2016 c. 25 Sch. 10 para. 60
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| – 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 |