



Regulation of Investigatory Powers Act 2000

2000 CHAPTER 23

PART II

SURVEILLANCE AND COVERT HUMAN INTELLIGENCE SOURCES

Police and ^{F1}Revenue and Customs] authorisations

39 Appeals to the ^{F1}Investigatory Powers Commissioner] : supplementary.

- (1) Where the ^{F2}Investigatory Powers Commissioner] has determined an appeal under section 38, he shall give notice of his determination to both—
 - (a) the person by whom the appeal was brought; and
 - (b) the ^{F3}Judicial Commissioner] whose decision was appealed against.
- (2) Where the determination of the ^{F4}Investigatory Powers Commissioner] on an appeal under section 38 is a determination to dismiss the appeal, the ^{F4}Investigatory Powers Commissioner] shall make a report of his findings—
 - (a) to the persons mentioned in subsection (1); and
 - (b) to the Prime Minister.
- (3) ^{F5}Subsections (6) to (8) of section 234 of the Investigatory Powers Act 2016] (reports to be laid before Parliament and exclusion of matters from the report) apply in relation to any report to the Prime Minister under subsection (2) of this section as they apply in relation to any report under ^{F6}subsection (1) of that section] .
- (4) Subject to subsection (2) of this section, the ^{F7}Investigatory Powers Commissioner] shall not give any reasons for any determination of his on an appeal under section 38.

Changes to legislation: Regulation of Investigatory Powers Act 2000, Section 39 is up to date with all changes known to be in force on or before 18 July 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

Textual Amendments

- F1** Words in s. 39 heading substituted (1.9.2017) by Investigatory Powers Act 2016 (c. 25), **ss. 233(3)(b), 272(1)** (with Sch. 9 paras. 7, 8, 10); S.I. 2017/859, reg. 2(e)
- F2** Words in s. 39(1) substituted (1.9.2017) by Investigatory Powers Act 2016 (c. 25), **ss. 233(3)(b), 272(1)** (with Sch. 9 paras. 7, 8, 10); S.I. 2017/859, reg. 2(e)
- F3** Words in s. 39(1)(b) substituted (1.9.2017) by Investigatory Powers Act 2016 (c. 25), **ss. 233(3)(f), 272(1)** (with Sch. 9 paras. 7, 8, 10); S.I. 2017/859, reg. 2(e)
- F4** Words in s. 39(2) substituted (1.9.2017) by Investigatory Powers Act 2016 (c. 25), **ss. 233(3)(b), 272(1)** (with Sch. 9 paras. 7, 8, 10); S.I. 2017/859, reg. 2(e)
- F5** Words in s. 39(3) substituted (1.9.2017) by Investigatory Powers Act 2016 (c. 25), s. 272(1), **Sch. 10 para. 77(a)** (with Sch. 9 paras. 7, 8, 10); S.I. 2017/859, reg. 2(j)
- F6** Words in s. 39(3) substituted (1.9.2017) by Investigatory Powers Act 2016 (c. 25), s. 272(1), **Sch. 10 para. 77(b)** (with Sch. 9 paras. 7, 8, 10); S.I. 2017/859, reg. 2(j)
- F7** Words in s. 39(4) substituted (1.9.2017) by Investigatory Powers Act 2016 (c. 25), **ss. 233(3)(b), 272(1)** (with Sch. 9 paras. 7, 8, 10); S.I. 2017/859, reg. 2(e)

Changes to legislation:

Regulation of Investigatory Powers Act 2000, Section 39 is up to date with all changes known to be in force on or before 18 July 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.

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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\(2\)\(b\)](#)
- 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](#)