



# Regulation of Investigatory Powers Act 2000

## 2000 CHAPTER 23

### PART IV

#### SCRUTINY ETC. OF INVESTIGATORY POWERS AND OF THE FUNCTIONS OF THE INTELLIGENCE SERVICES

##### *The Tribunal*

#### [<sup>F1</sup>67A Appeals from the Tribunal

- (1) A relevant person may appeal on a point of law against any determination of the Tribunal of a kind mentioned in section 68(4) or any decision of the Tribunal of a kind mentioned in section 68(4C).
- (2) Before making a determination or decision which might be the subject of an appeal under this section, the Tribunal must specify the court which is to have jurisdiction to hear the appeal (the “relevant appellate court”).
- (3) This court is whichever of the following courts appears to the Tribunal to be the most appropriate—
  - (a) the Court of Appeal in England and Wales,
  - (b) the Court of Session.
- (4) The Secretary of State may by regulations, with the consent of the Northern Ireland Assembly, amend subsection (3) so as to add the Court of Appeal in Northern Ireland to the list of courts mentioned there.
- (5) The Secretary of State may by regulations specify criteria to be applied by the Tribunal in making decisions under subsection (2) as to the identity of the relevant appellate court.
- (6) An appeal under this section—

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**Changes to legislation:** *Regulation of Investigatory Powers Act 2000, Section 67A is up to date with all changes known to be in force on or before 05 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*

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- (a) is to be heard by the relevant appellate court, but
  - (b) may not be made without the leave of the Tribunal or, if that is refused, of the relevant appellate court.
- (7) The Tribunal or relevant appellate court must not grant leave to appeal unless it considers that—
- (a) the appeal would raise an important point of principle or practice, or
  - (b) there is another compelling reason for granting leave.
- (8) In this section—
- “relevant appellate court” has the meaning given by subsection (2),
  - “relevant person”, in relation to any proceedings, complaint or reference, means the complainant or—
    - (a) in the case of proceedings, the respondent,
    - (b) in the case of a complaint, the person complained against, and
    - (c) in the case of a reference, any public authority to whom the reference relates.]

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#### **Textual Amendments**

- F1** S. 67A inserted (31.12.2018) by [Investigatory Powers Act 2016 \(c. 25\)](#), [ss. 242\(1\), 272\(1\)](#) (with [Sch. 9 paras. 7, 8, 10](#)); [S.I. 2018/1379](#), [reg. 2](#) (with [reg. 3](#))

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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](#)