



Regulation of Investigatory Powers Act 2000

2000 CHAPTER 23

PART IV

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

Codes of practice

72 Effect of codes of practice

- (1) A person exercising or performing any power or duty in relation to which provision may be made by a code of practice under section 71 shall, in doing so, have regard to the provisions (so far as they are applicable) of every code of practice for the time being in force under that section.
- (2) A failure on the part of any person to comply with any provision of a code of practice for the time being in force under section 71 shall not of itself render him liable to any criminal or civil proceedings.
- (3) A code of practice in force at any time under section 71 shall be admissible in evidence in any criminal or civil proceedings.
- (4) If any provision of a code of practice issued or revised under section 71 appears to—
 - (a) the court or tribunal conducting any civil or criminal proceedings,
 - (b) the Tribunal,
 - (c) a relevant Commissioner carrying out any of his functions under this Act,
 - (d) a Surveillance Commissioner carrying out his functions under this Act or the Police Act 1997, or
 - (e) any Assistant Surveillance Commissioner carrying out any functions of his under section 63 of this Act,

Status: This is the original version (as it was originally enacted).

to be relevant to any question arising in the proceedings, or in connection with the exercise of that jurisdiction or the carrying out of those functions, in relation to a time when it was in force, that provision of the code shall be taken into account in determining that question.

- (5) In this section “relevant Commissioner” means the Interception of Communications Commissioner, the Intelligence Services Commissioner or the Investigatory Powers Commissioner for Northern Ireland.