



Investigatory Powers Act 2016

2016 CHAPTER 25

PART 8

OVERSIGHT ARRANGEMENTS

CHAPTER 1

INVESTIGATORY POWERS COMMISSIONER AND OTHER JUDICIAL COMMISSIONERS

Reports and investigation and information powers

234 Annual and other reports

- (1) The Investigatory Powers Commissioner must, as soon as reasonably practicable after the end of each calendar year, make a report to the Prime Minister about the carrying out of the functions of the Judicial Commissioners.
- (2) A report under subsection (1) must, in particular, include—
 - (a) statistics on the use of the investigatory powers which are subject to review by the Investigatory Powers Commissioner (including the number of warrants or authorisations issued, given, considered or approved during the year),
 - (b) information about the results of such use (including its impact),
 - (c) information about the operation of the safeguards conferred by this Act in relation to items subject to legal privilege, confidential journalistic material and sources of journalistic information,
 - (d) information about the following kinds of warrants issued, considered or approved during the year—
 - (i) targeted interception warrants or targeted examination warrants of the kind referred to in section 17(2),
 - (ii) targeted equipment interference warrants relating to matters within paragraph (b), (c), (e), (f), (g) or (h) of section 101(1), and

Status: This is the original version (as it was originally enacted).

- (iii) targeted examination warrants under Part 5 relating to matters within any of paragraphs (b) to (e) of section 101(2),
 - (e) information about the operational purposes specified during the year in warrants issued under Part 6 or 7,
 - (f) the information on errors required by virtue of section 231(8),
 - (g) information about the work of the Technology Advisory Panel,
 - (h) information about the funding, staffing and other resources of the Judicial Commissioners, and
 - (i) details of public engagements undertaken by the Judicial Commissioners or their staff.
- (3) The Investigatory Powers Commissioner must, at any time, make any report to the Prime Minister which has been requested by the Prime Minister.
- (4) The Investigatory Powers Commissioner may, at any time, make any such report to the Prime Minister, on any matter relating to the functions of the Judicial Commissioners, as the Investigatory Powers Commissioner considers appropriate.
- (5) A report under subsection (1) or (4) may, in particular, include such recommendations as the Investigatory Powers Commissioner considers appropriate about any matter relating to the functions of the Judicial Commissioners.
- (6) On receiving a report from the Investigatory Powers Commissioner under subsection (1), the Prime Minister must—
 - (a) publish the report, and
 - (b) lay a copy of the published report before Parliament together with a statement as to whether any part of the report has been excluded from publication under subsection (7).
- (7) The Prime Minister may, after consultation with the Investigatory Powers Commissioner and (so far as the report relates to functions under Part 3 of the Police Act 1997) the Scottish Ministers, exclude from publication any part of a report under subsection (1) if, in the opinion of the Prime Minister, the publication of that part would be contrary to the public interest or prejudicial to—
 - (a) national security,
 - (b) the prevention or detection of serious crime,
 - (c) the economic well-being of the United Kingdom, or
 - (d) the continued discharge of the functions of any public authority whose activities include activities that are subject to review by the Investigatory Powers Commissioner.
- (8) The Prime Minister must send a copy of every report and statement as laid before Parliament under subsection (6)(b) to the Scottish Ministers and the Scottish Ministers must lay the copy report and statement before the Scottish Parliament.
- (9) The Investigatory Powers Commissioner may publish any report under subsection (3) or (4), or any part of such a report, if requested to do so by the Prime Minister.
- (10) Subsection (11) applies if the Prime Minister receives a report from the Investigatory Powers Commissioner under subsection (1) or (4) which relates to an investigation, inspection or audit carried out by the Commissioner following a decision to do so of which the Intelligence and Security Committee of Parliament was informed under section 236(2).

- (11) The Prime Minister must send to the Intelligence and Security Committee of Parliament a copy of the report so far as it relates to—
- (a) the investigation, inspection or audit concerned, and
 - (b) the functions of the Committee falling within section 2 of the Justice and Security Act 2013.