



# Investigatory Powers Act 2016

## 2016 CHAPTER 25

### PART 8

#### OVERSIGHT ARRANGEMENTS

#### CHAPTER 1

##### INVESTIGATORY POWERS COMMISSIONER AND OTHER JUDICIAL COMMISSIONERS

##### *Supplementary provision*

#### **240 Abolition of existing oversight bodies**

- (1) The offices of the following are abolished—
  - (a) the Interception of Communications Commissioner,
  - (b) the Intelligence Services Commissioner,
  - (c) the Chief Surveillance Commissioner,
  - (d) the other Surveillance Commissioners,
  - (e) the Scottish Chief Surveillance Commissioner, and
  - (f) the other Scottish Surveillance Commissioners.
- (2) Accordingly, the following enactments are repealed—
  - (a) sections 57 and 58 of the Regulation of Investigatory Powers Act 2000 (the Interception of Communications Commissioner),
  - (b) sections 59, 59A and 60 of that Act (the Intelligence Services Commissioner),
  - (c) sections 62 and 63 of that Act and sections 91 and 107 of the Police Act 1997 (the Surveillance Commissioners), and
  - (d) sections 2(1) to (9), 3 and 4 of the Regulation of Investigatory Powers (Scotland) Act 2000 (2000 asp 11) (the Scottish Surveillance Commissioners).

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**Changes to legislation:** *Investigatory Powers Act 2016, Section 240 is up to date with all changes known to be in force on or before 14 August 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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- (3) The Secretary of State may by regulations, with the consent of the Northern Ireland Assembly, provide for the abolition of the office of the Investigatory Powers Commissioner for Northern Ireland.
- (4) The power to make regulations under subsection (3) (including that power as extended by section 267(1)(c)) may, in particular, be exercised by modifying any provision made by or under an enactment (including this Act).
- (5) Regulations made by virtue of subsection (4) may, in particular, repeal—
  - (a) section 61 of the Regulation of Investigatory Powers Act 2000 (the Investigatory Powers Commissioner for Northern Ireland), and
  - (b) the words “or the Investigatory Powers Commissioner for Northern Ireland” in section 229(4)(f) of this Act.
- (6) In this section—
  - “the Chief Surveillance Commissioner” means the Chief Commissioner appointed under section 91(1)(a) of the Police Act 1997,
  - “the other Scottish Surveillance Commissioners” means—
    - (a) the Surveillance Commissioners appointed under section 2(1)(b) of the Regulation of Investigatory Powers (Scotland) Act 2000, and
    - (b) the Assistant Surveillance Commissioners appointed under section 3 of that Act,
  - “the other Surveillance Commissioners” means—
    - (a) the Commissioners appointed under section 91(1)(b) of the Police Act 1997, and
    - (b) the Assistant Surveillance Commissioners appointed under section 63(1) of the Regulation of Investigatory Powers Act 2000,
  - “the Scottish Chief Surveillance Commissioner” means the Chief Surveillance Commissioner appointed under section 2(1)(a) of the Regulation of Investigatory Powers (Scotland) Act 2000.

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#### Commencement Information

**II** [S. 240](#) in force at 1.9.2017 by [S.I. 2017/859](#), [reg. 2\(i\)](#) (with [regs. 6-11](#))

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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):

- Sch. 3 para. 8A and cross-heading inserted by [2023 c. 32 Sch. 18 para. 10\(2\)](#)
- Sch. 3 para. 20(2)(ha)(hb) inserted by [2023 c. 32 Sch. 18 para. 10\(3\)\(a\)](#)