



Investigatory Powers (Amendment) Act 2024

2024 CHAPTER 9

PART 2

OVERSIGHT ARRANGEMENTS

PROSPECTIVE

9 Temporary Judicial Commissioners

After section 228 of the Investigatory Powers Act 2016 (but before the italic heading before section 229) insert—

“228A Temporary Judicial Commissioners

- (1) The power in subsection (2) is exercisable where the Investigatory Powers Commissioner and the Secretary of State consider that—
 - (a) as a result of exceptional circumstances, there is a shortage of persons able to carry out Judicial Commissioner functions, and
 - (b) the power in subsection (2) needs to be exercised in order to deal with that shortage.
- (2) The Investigatory Powers Commissioner may appoint one or more persons to carry out Judicial Commissioner functions.
- (3) A person appointed under subsection (2) is referred to in this section as a “temporary Judicial Commissioner”.
- (4) A temporary Judicial Commissioner may be appointed under subsection (2) for one or more terms not exceeding six months each and not exceeding three years in total.

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Investigatory Powers (Amendment) Act 2024, Section 9. (See end of Document for details)

- (5) As soon as practicable after the appointment of any temporary Judicial Commissioner, the Investigatory Powers Commissioner must notify the following persons of the appointment—
- (a) the Prime Minister;
 - (b) the Secretary of State;
 - (c) the Scottish Ministers;
 - (d) the Lord Chancellor;
 - (e) the Lord Chief Justice of England and Wales;
 - (f) the Lord President of the Court of Session;
 - (g) the Lord Chief Justice of Northern Ireland.
- (6) A reference to a Judicial Commissioner in any enactment (including this Act) is to be read (so far as the context allows) as referring also to a temporary Judicial Commissioner.
- (7) But subsections (1) and (4) to (6) of section 227 and section 228(2) (appointment requirements etc) do not apply in relation to temporary Judicial Commissioners.
- (8) In this section “Judicial Commissioner functions” means the functions conferred on Judicial Commissioners by any enactment (including this Act).”

Commencement Information

- II** S. 9 not in force at Royal Assent, see [s. 32\(2\)](#)

Status:

This version of this provision is prospective.

Changes to legislation:

There are currently no known outstanding effects for the Investigatory Powers (Amendment) Act 2024, Section 9.