



# Regulation of Investigatory Powers Act 2000

## 2000 CHAPTER 23

### PART IV

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

##### *Commissioners*

#### **58 Co-operation with and reports by s. 57 Commissioner.**

- (1) It shall be the duty of—
- (a) every person holding office under the Crown,
  - <sup>F1</sup>(b) .....
  - <sup>F2</sup>(ba) .....
  - (d) every person employed by or for the purposes of a police force,
  - (e) every person required for the purposes of section 11 to provide assistance with giving effect to an interception warrant,
  - (f) every person on whom an obligation to take any steps has been imposed under section 12,
  - (g) every person by or to whom an authorisation under section 22(3) [<sup>F3</sup>or (3B)] has been granted,
  - (h) every person to whom a notice under section 22(4) has been given,
  - (i) every person to whom a notice under section 49 has been given in relation to any information obtained under Part I, and
  - (j) every person who is or has been employed for the purposes of any business of a person falling within paragraph (e), (f), (h) or (i),

to disclose or provide to the Interception of Communications Commissioner all such documents and information as he may require for the purpose of enabling him to carry out his functions under section 57.

*Status: Point in time view as at 30/12/2016. This version of this provision has been superseded.*

*Changes to legislation: Regulation of Investigatory Powers Act 2000, Section 58 is up to date with all changes known to be in force on or before 11 July 2024. 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)*

- (2) If it at any time appears to the Interception of Communications Commissioner—
- (a) that there has been a contravention of the provisions of this Act in relation to any matter with which that Commissioner is concerned, and
  - (b) that the contravention has not been the subject of a report made to the Prime Minister by the Tribunal,
- he shall make a report to the Prime Minister with respect to that contravention.
- (3) If it at any time appears to the Interception of Communications Commissioner that any arrangements by reference to which the duties imposed by sections 15 and 55 have sought to be discharged have proved inadequate in relation to any matter with which the Commissioner is concerned, he shall make a report to the Prime Minister with respect to those arrangements.
- (4) As soon as practicable after the end of each calendar year [<sup>F4</sup>and after the end of the period of six months beginning with the end of each calendar year], the Interception of Communications Commissioner shall make a report to the Prime Minister with respect to the carrying out of that Commissioner’s functions.
- (5) The Interception of Communications Commissioner may also, at any time, make any such other report to the Prime Minister on any matter relating to the carrying out of the Commissioner’s functions as the Commissioner thinks fit.
- [<sup>F5</sup>(5A) The Interception of Communications Commissioner may also, at any time, make any such other report to the First Minister on any matter relating to the carrying out of the Commissioner’s functions so far as they relate to the exercise by the Scottish Ministers (by virtue of provision made under section 63 of the Scotland Act 1998) of their powers under sections 5, 9(1)(b) and (3), 10(1)(a) and (2) and 15(1) of this Act, as the Commissioner thinks fit.]
- (6) The Prime Minister shall lay before each House of Parliament a copy of every annual report [<sup>F6</sup>, and every half-yearly report,] made by the Interception of Communications Commissioner under subsection (4), together with a statement as to whether any matter has been excluded from that copy in pursuance of subsection (7).
- [<sup>F7</sup>(6A) The Prime Minister shall send a copy of every annual report [<sup>F8</sup>, and every half-yearly report,] made by the Interception of Communications Commissioner under subsection (4) which he lays in terms of subsection (6), together with a copy of the statement referred to in subsection (6), to the First Minister who shall forthwith lay that copy report and statement before the Scottish Parliament.]
- (7) If it appears to the Prime Minister, after consultation with the Interception of Communications Commissioner [<sup>F9</sup>and if it appears relevant to do so, with the First Minister], that the publication of any matter in an annual report [<sup>F10</sup>, or half-yearly report,] 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 that Commissioner,
- the Prime Minister may exclude that matter from the copy of the report as laid before each House of Parliament.

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### Textual Amendments

- F1** S. 58(1)(b) omitted (7.10.2013) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(2), [Sch. 8 para. 95](#); [S.I. 2013/1682](#), art. 3(v)
- F2** S. 58(1)(ba) omitted (1.4.2013) by virtue of [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), [Sch. 2 para. 33\(20\)\(a\)](#)
- F3** Words in s. 58(1)(g) substituted (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), [Sch. 2 para. 33\(20\)\(b\)](#)
- F4** Words in s. 58(4) inserted (temp.) (17.7.2014) by [Data Retention and Investigatory Powers Act 2014 \(c. 27\)](#), [ss. 6\(2\)](#), 8(1)(3)
- F5** S. 58(5A) inserted (S.) (15.12.2000) by [S.I. 2000/3253](#), arts. 1(1), 4(1), [Sch. 3 Pt. II para. 10\(a\)](#) (with art. 6)
- F6** Words in s. 58(6) inserted (temp.) (17.7.2014) by [Data Retention and Investigatory Powers Act 2014 \(c. 27\)](#), [ss. 6\(3\)](#), 8(1)(3)
- F7** S. 58(6A) inserted (S.) (15.12.2000) by [S.I. 2000/3253](#), arts. 1(1), 4(1), [Sch. 3 Pt. II para. 10\(b\)](#) (with art. 6)
- F8** Words in s. 58(6A) inserted (temp.) (17.7.2014) by [Data Retention and Investigatory Powers Act 2014 \(c. 27\)](#), [ss. 6\(4\)](#), 8(1)(3)
- F9** Words in s. 58(7) inserted (S.) (15.12.2000) by [S.I. 2000/3253](#), arts. 1(1), 4(1), [Sch. 3 Pt. II para. 10\(c\)](#) (with art. 6)
- F10** Words in s. 58(7) inserted (temp.) (17.7.2014) by [Data Retention and Investigatory Powers Act 2014 \(c. 27\)](#), [ss. 6\(5\)](#), 8(1)(3)

### Modifications etc. (not altering text)

- C1** S. 58(4) continued (temp.) (30.12.2016) by [Investigatory Powers Act 2016 \(c. 25\)](#), s. 272(1), [Sch. 9 para. 9](#) (with [Sch. 9 paras. 7, 8, 10](#)); [S.I. 2016/1233](#), reg. 2(p)
- C2** S. 58(6) continued (temp.) (30.12.2016) by [Investigatory Powers Act 2016 \(c. 25\)](#), s. 272(1), [Sch. 9 para. 9](#) (with [Sch. 9 paras. 7, 8, 10](#)); [S.I. 2016/1233](#), reg. 2(p)
- C3** S. 58(6A) continued (temp.) (30.12.2016) by [Investigatory Powers Act 2016 \(c. 25\)](#), s. 272(1), [Sch. 9 para. 9](#) (with [Sch. 9 paras. 7, 8, 10](#)); [S.I. 2016/1233](#), reg. 2(p)
- C4** S. 58(7) continued (temp.) (30.12.2016) by [Investigatory Powers Act 2016 \(c. 25\)](#), s. 272(1), [Sch. 9 para. 9](#) (with [Sch. 9 paras. 7, 8, 10](#)); [S.I. 2016/1233](#), reg. 2(p)

### Commencement Information

- I1** S. 58 wholly in force at 1.10.2007; s. 58 not in force at Royal Assent see s. 83(2); s. 58 in force except s. 58(1)(g)(h)(i) and s. 58(1)(j) in respect of s. 58(1)(h)(i) at 2.10.2000 by [S.I. 2000/2543](#), art. 3; s. 58(1)(g)(h)(j) in force at 5.1.2004 by [S.I. 2003/3140](#), art. 2; s. 58(1)(i) in force at 1.10.2007 by [S.I. 2007/2196](#), art. 2(c)

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