
DRAFT STATUTORY INSTRUMENTS

2018 No.

The Investigatory Powers Tribunal Rules 2018

PART 2

Proceedings and complaints

Notification to the complainant and respondent

15.—(1) In addition to notice given under section 68(4), (4A)(1) or (4C)(2) of the Act, the Tribunal must provide information to the complainant and respondent in accordance with this rule.

(2) Where they make a determination in favour of the complainant, the Tribunal must provide the complainant and respondent with the determination including any findings of fact.

(3) Where they make a determination which is not a determination in favour of the complainant, the Tribunal must, if they consider it necessary in the interests of justice to do so, provide the complainant and respondent with a summary of the determination.

(4) Where they give notice of a final decision of a preliminary issue in accordance with section 68(4C) of the Act, the Tribunal must provide both the complainant and respondent with a copy of that decision.

(5) Where the Tribunal makes a determination—

- (a) that the bringing of the section 7 proceedings or the making of the complaint is frivolous or vexatious;
- (b) that section 7 proceedings have not been brought in accordance with section 7(5) of the Human Rights Act 1998;
- (c) that a complaint shall not be considered or determined in consequence of section 67(5) of the Act;
- (d) that the complainant does not have the right to bring the section 7 proceedings or make the complaint;

the Tribunal must notify the complainant of that fact and any reasoning they consider appropriate.

(6) The duty to provide information under this rule is in all cases subject to the general duty imposed on the Tribunal by rule 7(1).

(7) No information may be provided under this rule whose disclosure would be restricted under rule 7(2) unless the person whose consent would be needed for disclosure under that rule has been given the opportunity to make representations to the Tribunal.