



# 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*

#### **235 Investigation and information powers**

- (1) A Judicial Commissioner may carry out such investigations, inspections and audits as the Commissioner considers appropriate for the purposes of the Commissioner's functions.
- (2) Every relevant person must disclose or provide to a Judicial Commissioner all such documents and information as the Commissioner may require for the purposes of the Commissioner's functions.
- (3) Every relevant person must provide a Judicial Commissioner with such assistance as the Commissioner may require in carrying out any investigation, inspection or audit for the purposes of the Commissioner's functions.
- (4) Assistance under subsection (3) may, in particular, include such access to apparatus, systems or other facilities or services as the Judicial Commissioner concerned may require in carrying out any investigation, inspection or audit for the purposes of the Commissioner's functions.
- (5) A public authority may report to the Investigatory Powers Commissioner any refusal by a telecommunications operator or postal operator to comply with any requirements imposed by virtue of this Act.

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*Status: Point in time view as at 13/02/2017. This version of this provision has been superseded.*

*Changes to legislation: Investigatory Powers Act 2016, Section 235 is up to date with all changes known to be in force on or before 29 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)*

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- (6) A public authority, telecommunications operator or postal operator must report to the Investigatory Powers Commissioner any relevant error (within the meaning given by section 231(9)) of which it is aware.
- (7) In this section “relevant person” means—
- (a) any person who holds, or has held, an office, rank or position with a public authority,
  - (b) any telecommunications operator or postal operator who is, has been or may become subject to a requirement imposed by virtue of this Act,
  - (c) any person who is, has been or may become subject to a requirement to provide assistance by virtue of section 41, 43, 126, 128, 149, 168, 170 or 190, or
  - (d) any person to whom a notice is given under section 49 of the Regulation of Investigatory Powers Act 2000.

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**Commencement Information**

**II** S. 235(1)-(4)(7) in force at 13.2.2017 by [S.I. 2017/137](#), [reg. 2\(j\)](#)

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