

These notes relate to the Regulation of Investigatory Powers (Scotland) Act 2000 (asp 11) which received Royal Assent on 28 September 2000

REGULATION OF INVESTIGATORY POWERS (SCOTLAND) ACT 2000

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Complaints by Aggrieved Persons

Section 23: Complaints to the Tribunal

98. *Subsection (1)* defines the Tribunal referred to in this Act as the Tribunal established under section 65 of the Regulation of Investigatory Powers Act 2000.
99. *Subsections (2) and (3)* set out the key elements of the Tribunal's jurisdiction in relation to this Act. It is to be the appropriate forum for complaints or proceedings in relation to any complaint by a person who believes that he has been subject to any use of investigatory powers under this Act which he believes to have been carried out in the challengeable circumstances described in *subsection (4)*.
100. *Subsection (4)* defines what are challengeable circumstances.
101. Under *subsection (5)* conduct should only fall within those circumstances if it is conduct which took place with, or might reasonably have been considered necessary to take place only with, the authority, or purported authority, or an authorisation under the Act or an authorisation under section 93 of the Police Act 1997 if given by a Scottish police force.