

SCHEDULES

SCHEDULE 1

INVESTIGATION OF COMPLAINTS

Functions of the Commissioner in relation to complaints

- 5 (1) Where a reference is made to the Commissioner under paragraph 2 or paragraph 4 above, the Commissioner shall investigate, as the case may require,—
- (a) whether a warrant was issued under section 5 of this Act in relation to the property concerned; or
 - (b) whether an authorisation was given under section 7 of this Act to the doing of the act in question.
- (2) If the Commissioner finds that a warrant was issued or an authorisation was given, he shall, applying the principles applied by a court on an application for judicial review, determine whether the Secretary of State was acting properly in issuing or renewing the warrant or, as the case may be, in giving or renewing the authorisation.
- (3) The Commissioner shall inform the Tribunal of his conclusion on any reference made to him under paragraph 2 or paragraph 4 above.