

# REGULATION OF INVESTIGATORY POWERS ACT 2000

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

*“Serious crime” is defined in section 81(2) and (3)*

*“Detecting crime” is defined in section 81(5)*

#### *Section 7: Issue of warrants*

66. [Section 7](#) describes the persons who may sign interception warrants and the circumstances in which they may do so.
67. The combined effect of *subsections (1) and (2)* is that the warrant must be signed by the Secretary of State unless the case is either urgent or the purpose is to comply with a request for mutual assistance where the subject of the interception or the premises and the competent authority making the request are outside the United Kingdom.
68. In urgent cases a warrant may be signed by a senior official. The procedure in urgent cases has three elements:
  - the senior official who signs the warrant must be expressly authorised by the Secretary of State to do so (under subsection (2(a)));
  - that express authorisation must be in relation to that particular warrant (subsection (2)(a)); and
  - under *subsection (4)(a)* the official who signs the warrant must endorse on it a statement that he has been expressly authorised by the Secretary of State to sign that particular warrant.
69. Thus, even where the urgency procedure applies, the Secretary of State must have given personal consideration to the application in order to give instructions to a senior official for the signing of that particular warrant, which will be limited in duration to five working days (see section 9(1) and (6)(a)).