

REGULATION OF INVESTIGATORY POWERS ACT 2000

EXPLANATORY NOTES

OTHER AUTHORISATIONS

Grant, renewal and duration of authorisations

Section 44: Special rules for intelligence services authorisations

245. This section sets out special provisions in relation to authorisations granted to or by the intelligence services.
246. Under *subsection (1)*, a warrant for intrusive surveillance or a renewal of such a warrant will not be issued except under the hand of the Secretary of State. However, in an urgent case, where the Secretary of State has personally authorised it, a warrant can be signed (but not renewed) by a senior official. This is the same urgency procedure as is provided in section 7(2)(a) for interception. Where this has happened, such a warrant will cease to have effect at the end of the second working day following its issue, unless renewed under the hand of the Secretary of State.
247. *Subsections (4) and (5)* relate to the authorisation of warrants for the intelligence services and for the authorisations and renewal of authorisations for directed surveillance where the authorisation is necessary in the interests of national security or in the interests of the economic well-being of the UK. Such warrants or authorisations last for a period of six months. Where this is a renewal, the period will start on the day when the previous authorisation or warrant would have expired. This is consistent with the provisions of the Intelligence Service Act 1994.
248. *Subsection (6)* enables the Secretary of State, by order, to provide that certain authorisations will cease to have effect after a shorter period of time than is otherwise provided for.