



Terrorism Act 2006

2006 CHAPTER 11

PART 2

MISCELLANEOUS PROVISIONS

Other investigatory powers

32 Interception warrants

- (1) The Regulation of Investigatory Powers Act 2000 (c. 23) is amended as follows.
- (2) In section 9(6) (period for which interception warrants can be issued or renewed), after paragraph (a) insert—
 - “(ab) in relation to an unrenewed warrant which is endorsed under the hand of the Secretary of State with a statement that the issue of the warrant is believed to be necessary on grounds falling within section 5(3)(a) or (c), means the period of six months beginning with the day of the warrant’s issue;”.
- (3) For subsection (6) of section 10 (prohibition on modification of scheduled parts of warrant by the person to whom the warrant is addressed or his subordinates) substitute—
 - “(6) Subsection (4) authorises the modification of the scheduled parts of an interception warrant under the hand of a senior official who is either—
 - (a) the person to whom the warrant is addressed, or
 - (b) a person holding a position subordinate to that person,only if the applicable condition specified in subsection (6A) is satisfied and a statement that the condition is satisfied is endorsed on the modifying instrument.
- (6A) The applicable condition is—

Status: This is the original version (as it was originally enacted).

- (a) in the case of an unexpired warrant, that the warrant is endorsed with a statement that the issue of the warrant is believed to be necessary in the interests of national security; and
 - (b) in the case of a renewed warrant, that the instrument by which it was last renewed is endorsed with a statement that the renewal is believed to be necessary in the interests of national security.”
- (4) In subsection (9)(b) (modifications made otherwise than by Secretary of State ceasing to have effect after five days), after “(5A)(b)” insert “, (6)”.
- (5) In section 16 (extra safeguards in the case of certificated warrants)—
 - (a) in subsection (3)(b) (exception for communications sent during a specified three month period), for “a period of not more than three months specified in the certificate” substitute “a period specified in the certificate that is no longer than the permitted maximum”; and
 - (b) in subsection (5)(c) (exception for material selected before the end of the first working day after a relevant change of circumstances), for the words from “the first working day” onwards substitute “the permitted period”.
- (6) After subsection (3) of that section insert—

“(3A) In subsection (3)(b) ‘the permitted maximum’ means—

 - (a) in the case of material the examination of which is certified for the purposes of section 8(4) as necessary in the interests of national security, six months; and
 - (b) in any other case, three months.”
- (7) After subsection (5) of that section insert—

“(5A) In subsection (5)(c) ‘the permitted period’ means—

 - (a) in the case of material the examination of which is certified for the purposes of section 8(4) as necessary in the interests of national security, the period ending with the end of the fifth working day after it first appeared as mentioned in subsection (5)(a) to the person to whom the warrant is addressed; and
 - (b) in any other case, the period ending with the end of the first working day after it first so appeared to that person.”