



Investigatory Powers Act 2016

2016 CHAPTER 25

PART 7

BULK PERSONAL DATASET WARRANTS

Issue of warrants

204 Class BPD warrants

- (1) The head of an intelligence service, or a person acting on his or her behalf, may apply to the Secretary of State for a class BPD warrant.
- (2) The application must include—
 - (a) a description of the class of bulk personal datasets to which the application relates, and
 - (b) in a case where the intelligence service is seeking authorisation for the examination of bulk personal datasets of that class, the operational purposes which it is proposing should be specified in the warrant (see section 212).
- (3) The Secretary of State may issue the warrant if—
 - (a) the Secretary of State considers that the warrant is necessary—
 - (i) in the interests of national security,
 - (ii) for the purposes of preventing or detecting serious crime, or
 - (iii) in the interests of the economic well-being of the United Kingdom so far as those interests are also relevant to the interests of national security,
 - (b) the Secretary of State considers that the conduct authorised by the warrant is proportionate to what is sought to be achieved by the conduct,
 - (c) where the warrant authorises the examination of bulk personal datasets of the class described in the warrant, the Secretary of State considers that—
 - (i) each of the specified operational purposes (see section 212) is a purpose for which the examination of bulk personal datasets of that class is or may be necessary, and

Status: Point in time view as at 25/07/2018. This version of this provision has been superseded.

Changes to legislation: Investigatory Powers Act 2016, Section 204 is up to date with all changes known to be in force on or before 22 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (ii) the examination of bulk personal datasets of that class for each such purpose is necessary on any of the grounds on which the Secretary of State considers the warrant to be necessary,
 - (d) the Secretary of State considers that the arrangements made by the intelligence service for storing bulk personal datasets of the class to which the application relates and for protecting them from unauthorised disclosure are satisfactory, and
 - (e) the decision to issue the warrant has been approved by a Judicial Commissioner.
- (4) The fact that a class BPD warrant would authorise the retention, or the retention and examination, of bulk personal datasets relating to activities in the British Islands of a trade union is not, of itself, sufficient to establish that the warrant is necessary on grounds falling within subsection (3)(a).
- (5) An application for a class BPD warrant may only be made on behalf of the head of an intelligence service by a person holding office under the Crown.

Commencement Information

II S. 204 in force at 25.7.2018 for specified purposes by S.I. 2018/873, reg. 2(m) (with reg. 6(b))

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