
STATUTORY INSTRUMENTS

2018 No. 652

The Investigatory Powers Act 2016 (Commencement No. 5 and Transitional and Saving Provisions) Regulations 2018

PART 1

GENERAL AND COMMENCEMENT

Equipment interference provisions coming into force on 31st May 2018

4. The following provisions of Part 5 of the 2016 Act (equipment interference) come into force on 31st May 2018—

- (a) section 99 (warrants under this Part: general);
- (b) section 100 (meaning of “equipment data”);
- (c) section 101 (subject-matter of warrants);
- (d) in section 102 (power to issue warrants to intelligence services: the Secretary of State)—
 - (i) subsections (1) to (3) for the purpose of the Secretary of State deciding to issue a warrant but not for the purpose of the issuing of a warrant;
 - (ii) subsection (4) for the purpose of the Secretary of State deciding to issue a warrant but not for the purpose of the issuing of a warrant and only if the Secretary of State considers that the only grounds for considering the warrant to be necessary is for the purpose of preventing or detecting serious crime;
 - (iii) subsections (5) to (9);
- (e) in section 103 (power to issue warrants to intelligence services: the Scottish Ministers)—
 - (i) subsections (1) and (2) for the purpose of the Scottish Ministers deciding to issue a warrant but not for the purpose of the issuing of a warrant;
 - (ii) subsections (3) and (4);
- (f) section 104 (power to issue warrants to the Chief of Defence Intelligence)—
 - (i) subsection (1) for the purpose of the Secretary of State deciding to issue a warrant but not for the purpose of the issuing of a warrant;
 - (ii) subsections (2) and (3);
- (g) section 105 (decision to issue warrants under sections 102 to 104 to be taken personally by Ministers);
- (h) in section 108 (approval of warrants by Judicial Commissioners) so far as relating to decisions to issue warrants under any of sections 102 to 104;
- (i) section 111(1) to (3) and (8) (members of Parliament etc.);
- (j) section 112 (items subject to legal privilege);
- (k) section 113 (confidential journalistic material);
- (l) section 114 (sources of journalistic information);

Status: Point in time view as at 29/05/2018.

Changes to legislation: There are currently no known outstanding effects for the The Investigatory Powers Act 2016 (Commencement No. 5 and Transitional and Saving Provisions) Regulations 2018, Section 4. (See end of Document for details)

- (m) section 115 (requirements that must be met by warrants) so far as relating to warrants under any of sections 102 to 104;
- (n) section 129 (safeguards relating to retention and disclosure of material) so far as relating to warrants under any of sections 102 to 104;
- (o) section 130 (safeguards relating to disclosure of material overseas);
- (p) section 135 (Part 5: interpretation).

Status:

Point in time view as at 29/05/2018.

Changes to legislation:

There are currently no known outstanding effects for the The Investigatory Powers Act 2016 (Commencement No. 5 and Transitional and Saving Provisions) Regulations 2018, Section 4.