



Intelligence Services Act 1994

1994 CHAPTER 13

Authorisation of certain actions

6 Warrants: procedure and duration, etc.

- (1) A warrant shall not be issued except—
- (a) under the hand of the Secretary of State [^{F1}or in the case of a warrant by the Scottish Minister (by virtue of provision made under section 63 of the Scotland Act 1998), a member of the Scottish Executive] ; or
 - (b) in an urgent case where the Secretary of State has expressly authorised its issue and a statement of that fact is endorsed on it, under the hand of a senior official ^{F2} . . . [^{F3}; or
 - (c) in an urgent case where, the Scottish Ministers have (by virtue of provision made under section 63 of the Scotland Act 1998) expressly authorised its issue and a statement of that fact is endorsed thereon, under the hand of a member of the staff of the Scottish Administration who is in the Senior Civil Service and is designated by the Scottish Ministers as a person under whose hand a warrant may be issued in such a case.]]^{F4}or
 - (d) in an urgent case where the Secretary of State has expressly authorised the issue of warrants in accordance with this paragraph by specified senior officials and a statement of that fact is endorsed on the warrant, under the hand of any of the specified officials.]

[^{F5}(1A) But a warrant issued in accordance with subsection (1)(d) may authorise the taking of an action only if the action is an action in relation to property which, immediately before the issue of the warrant, would, if done outside the British Islands, have been authorised by virtue of an authorisation under section 7 that was in force at that time.”

(1B) A senior official who issues a warrant in accordance with subsection (1)(d) must inform the Secretary of State about the issue of the warrant as soon as practicable after issuing it.]

- (2) A warrant shall, unless renewed under subsection (3) below, cease to have effect—
- (a) if the warrant was under the hand of the Secretary of State [^{F6}or, in the case of a warrant issued by the Scottish Ministers (by virtue of provision made under

Changes to legislation: There are currently no known outstanding effects for the Intelligence Services Act 1994, Section 6. (See end of Document for details)

section 63 of the Scotland Act 1998), a member of the Scottish Executive], at the end of the period of six months beginning with the day on which it was issued; and

- (b) in any other case, at the end of the period ending with the [^{F7}fifth] working day following that day.
- (3) If at any time before the day on which a warrant would cease to have effect the Secretary of State considers it necessary for the warrant to continue to have effect for the purpose for which it was issued, he may by an instrument under his hand renew it for a period of six months beginning with that day.
- (4) The Secretary of State shall cancel a warrant if he is satisfied that the action authorised by it is no longer necessary.
- (5) In the preceding provisions of this section “warrant ” means a warrant under section 5 above.
- (6) As regards the Security Service, this section and section 5 above have effect in place of section 3 (property warrants) of the 1989 Act, and accordingly—
- (a) a warrant issued under that section of the 1989 Act and current when this section and section 5 above come into force shall be treated as a warrant under section 5 above, but without any change in the date on which the warrant was in fact issued or last renewed; and
- (b) section 3 of the 1989 Act shall cease to have effect.

Textual Amendments

- F1** Words in s. 6(1)(a) inserted (1.7.1999) by [S.I. 1999/1750, art. 6\(1\), Sch. 5 para. 14\(2\)\(a\)\(i\)](#)
- F2** Words in s. 6(1)(b) repealed (25.9.2000) by [2000 c. 23, ss. 74\(3\), 82\(2\), Sch. 5 \(with s. 82\(3\)\); S.I. 2000/2543, art. 2](#)
- F3** S. 6(1)(c) and word immediately before it inserted (1.7.1999) by [S.I. 1999/1750, art. 6\(1\), Sch. 5 para. 14\(1\)\(2\)\(a\)\(ii\)](#)
- F4** S. 6(1)(d) and word inserted (13.4.2006) by [Terrorism Act 2006 \(c. 11\), ss. 31\(2\), 39\(2\); S.I. 2006/1013, art. 2\(2\)\(b\)](#)
- F5** S. 6(1A)(1B) inserted (13.4.2006) by [Terrorism Act 2006 \(c. 11\), ss. 31\(3\), 39\(2\); S.I. 2006/1013, art. 2\(2\)\(b\)](#)
- F6** Words in s. 6(2) inserted (1.7.1999) by [S.I. 1999/1750, art. 6\(1\), Sch. 5 para. 14\(1\)\(2\)\(b\)](#)
- F7** Word in s. 6(2)(b) substituted (13.4.2006) by [Terrorism Act 2006 \(c. 11\), ss. 31\(4\), 39\(2\); S.I. 2006/1013, art. 2\(2\)\(b\)](#)

Modifications etc. (not altering text)

- C1** S. 6 amended (2.10.2000) by [2000 c. 23, s. 59\(2\)\(a\) \(with s. 82\(3\)\); S.I. 2000/2543, art. 3](#)
- C2** S. 6: certain functions transferred (1.7.1999) by [S.I. 1999/1750, art. 2, Sch. 1](#)
- C3** S. 6(6) extended (with modifications) (Jersey, Guernsey) (15.12.1994) by [S.I. 1994/2955, art. 2, Sch.](#)

Commencement Information

- I1** S. 6 wholly in force at 15.12.1994; S. 6 not in force at Royal Assent, see s. 12(2); s. 6 in force at 2.11.1994 for certain purposes and wholly in force at 15.12.1994 by [S.I. 1994/2734, art. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the Intelligence Services Act 1994, Section 6.