

SCHEDULE 1

Amendments of the Investigatory Powers Act 2016

21.—(1) Section 86 (Part 3: interpretation) is amended as follows.

(2) In subsection (1)—

(a) in the definition of “authorisation”, for the words from “under section 61” to the end of the definition substitute “ under section 60A, 61 or 61A ”;

(b) in the definition of “designated senior officer”—

(i) omit paragraph (a) and the “and” following it;

(ii) in paragraph (b), omit “other”.

(3) After subsection (2) insert—

“(2A) In this Part, “serious crime” means, in addition to crime which falls within paragraph (a) or (b) of the definition of “serious crime” in section 263(1), crime where the offence, or one of the offences, which is or would be constituted by the conduct concerned is—

(a) an offence for which an individual who has reached the age of 18 (or, in relation to Scotland or Northern Ireland, 21) is capable of being sentenced to imprisonment for a term of 12 months or more (disregarding any enactment prohibiting or restricting the imprisonment of individuals who have no previous convictions), or

(b) an offence—

(i) by a person who is not an individual, or

(ii) which involves, as an integral part of it, the sending of a communication or a breach of a person's privacy.”.

Changes to legislation:

There are currently no known outstanding effects for the The Data Retention and Acquisition Regulations 2018, Paragraph 21.