

REGULATION OF INVESTIGATORY POWERS ACT 2000

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

“External communications” is defined in Section 20.

81. *Subsection (5)(b)* covers conduct authorised by an interception warrant by Section 5(6). See Explanatory Notes for Section 5(6)(a) to (c).
82. *Subsection (6)* requires a certificate to be issued under the hand of the Secretary of State. The control exercised through the certificate has therefore to be a personal Ministerial one. There is no provision for delegation of this power to officials, even in urgent cases.

Section 9: Duration, cancellation and renewal of warrants.

83. **Section 9** provides for the issue, duration and renewal of warrants.
84. *Subsection (1)(a)* states that a warrant ceases to have effect at the end of the relevant period unless renewed under the power in subsection (1)(b). A renewal instrument must be issued under the hand of the Secretary of State unless the warrant was issued under Section 7(2)(b), in which case the renewal instrument may be issued by a senior official. Section 7(2)(b) applies to cases in which the warrant is issued to comply with a request for mutual assistance where the subject of interception or the relevant premises and the competent authority making the request are outside the United Kingdom.