

Changes to legislation: Investigatory Powers Act 2016, Part 2 is up to date with all changes known to be in force on or before 13 August 2023. 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) View outstanding changes

SCHEDULES

SCHEDULE 8

COMBINATION OF WARRANTS AND AUTHORISATIONS

PART 2

OTHER COMBINATIONS INVOLVING TARGETED EQUIPMENT INTERFERENCE WARRANTS

Warrants that may be issued by Secretary of State

- 8 The Secretary of State may, on an application made by or on behalf of the head of an intelligence service, issue a warrant that combines a targeted equipment interference warrant which the Secretary of State has power to issue under section 102(1) with one or more of the following—
- (a) a targeted examination warrant which the Secretary of State has power to issue under section 102(3);
 - (b) a targeted examination warrant which the Secretary of State has power to issue under section 19(2);
 - (c) a warrant which the Secretary of State has power to issue under section 5 of the Intelligence Services Act 1994 (warrants for entry or interference with property or wireless telegraphy);
 - (d) an authorisation under section 28 of the Regulation of Investigatory Powers Act 2000 (authorisation of directed surveillance);
 - (e) an authorisation under section 32 of that Act (authorisation of intrusive surveillance).

Commencement Information

- I1** Sch. 8 para. 8 in force at 31.5.2018 for specified purposes by S.I. 2018/652, reg. 6(b)(i)
I2 Sch. 8 para. 8 in force at 6.7.2018 in so far as not already in force by S.I. 2018/817, reg. 2

- 9 The Secretary of State may, on an application made by or on behalf of the Chief of Defence Intelligence, issue a warrant that combines a targeted equipment interference warrant which the Secretary of State has power to issue under section 104 with one or more of the following—
- (a) an authorisation under section 28 of the Regulation of Investigatory Powers Act 2000 (authorisation of directed surveillance);
 - (b) an authorisation under section 32 of that Act (authorisation of intrusive surveillance).

Commencement Information

- I3** Sch. 8 para. 9 in force at 31.5.2018 for specified purposes by S.I. 2018/652, reg. 6(b)(i)

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I4 [Sch. 8 para. 9](#) in force at 6.7.2018 in so far as not already in force by [S.I. 2018/817](#), [reg. 2](#)

Warrants that may be issued by Scottish Ministers

- 10 The Scottish Ministers may, on an application made by or on behalf of the head of an intelligence service, issue a warrant that combines a targeted equipment interference warrant which the Scottish Ministers have power to issue under section 103(1) with one or more of the following—
- (a) a targeted examination warrant which the Scottish Ministers have power to issue under section 103(2);
 - (b) a targeted examination warrant which the Scottish Ministers have power to issue under section 21(2);
 - (c) a warrant which the Scottish Ministers have power to issue under section 5 of the Intelligence Services Act 1994 (warrants for entry or interference with property or wireless telegraphy).

Commencement Information

- I5** [Sch. 8 para. 10](#) in force at 31.5.2018 for specified purposes by [S.I. 2018/652](#), [reg. 6\(b\)\(i\)](#)
I6 [Sch. 8 para. 10](#) in force at 6.7.2018 in so far as not already in force by [S.I. 2018/817](#), [reg. 2](#)

Warrants that may be issued by other persons

- 11 (1) A law enforcement chief may, on an application made by a person who is an appropriate law enforcement officer in relation to the chief, issue a warrant that combines a targeted equipment interference warrant which the law enforcement chief has power to issue under section 106 with one or more of the following—
- (a) an authorisation under section 93 of the Police Act 1997 (authorisations to interfere with property);
 - (b) an authorisation under section 28 of the Regulation of Investigatory Powers Act 2000 (authorisation of directed surveillance);
 - (c) an authorisation under section 32 of that Act (authorisation of intrusive surveillance).
- (2) For the purposes of this paragraph, references to a “law enforcement chief” and an “appropriate law enforcement officer” are to be read in accordance with section 106(5).

Commencement Information

- I7** [Sch. 8 para. 11](#) in force at 28.11.2018 for specified purposes by [S.I. 2018/1246](#), [reg. 2\(i\)](#)
I8 [Sch. 8 para. 11](#) in force at 5.12.2018 in so far as not already in force by [S.I. 2018/1246](#), [reg. 3\(k\)](#)

- 12 (1) A law enforcement chief within sub-paragraph (2) may, on an application made by a person who is an appropriate law enforcement officer in relation to the chief, issue a warrant that combines a targeted equipment interference warrant which the law enforcement chief has power to issue under section 106 with one or more of the following—
- (a) an authorisation under section 93 of the Police Act 1997 (authorisations to interfere with property);

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- (b) an authorisation under section 6 of the Regulation of Investigatory Powers (Scotland) Act 2000 (2000 asp 11) (authorisation of directed surveillance);
 - (c) an authorisation under section 10 of that Act (authorisation of intrusive surveillance).
- (2) The law enforcement chiefs mentioned in sub-paragraph (1) are—
 - (a) the chief constable of the Police Service of Scotland, and
 - (b) the Police Investigations and Review Commissioner.
- (3) For the purposes of this paragraph, references to a “law enforcement chief” and an “appropriate law enforcement officer” are to be read in accordance with section 106(5).

Commencement Information

I9 Sch. 8 para. 12 in force at 28.11.2018 for specified purposes by [S.I. 2018/1246](#), [reg. 2\(i\)](#)

I10 Sch. 8 para. 12 in force at 5.12.2018 in so far as not already in force by [S.I. 2018/1246](#), [reg. 3\(k\)](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 3 para. 8A and cross-heading inserted by [2023 c. 32 Sch. 18 para. 10\(2\)](#)
- Sch. 3 para. 20(2)(ha)(hb) inserted by [2023 c. 32 Sch. 18 para. 10\(3\)\(a\)](#)