
Changes to legislation: Investigatory Powers Act 2016, Cross Heading: Rules about issue etc. applying in relation to combined warrants is up to date with all changes known to be in force on or before 17 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 4

COMBINED WARRANTS: SUPPLEMENTARY PROVISION

Rules about issue etc. applying in relation to combined warrants

- 21 (1) A combined warrant under Part 1 of this Schedule addressed to any person may only be issued, renewed or cancelled in accordance with the procedural rules that would apply to the issue, renewal or cancellation of a targeted interception warrant addressed to that person (see Chapter 1 of Part 2 of this Act).
- (2) In sub-paragraph (1) “procedural rules”, in relation to a warrant, means the law about any of the following matters—
- (a) the involvement of Judicial Commissioners in decisions;
 - (b) the delegation of decisions;
 - (c) the signing of warrants;
 - (d) urgent cases.
- (3) But if a combined warrant under paragraph 1 or 4 includes a warrant which the person issuing the combined warrant has power to issue under section 5 of the Intelligence Services Act 1994 (a “section 5 warrant”), any requirement (arising from sub-paragraph (1) above) for the involvement of Judicial Commissioners in the decision whether to issue or renew the combined warrant does not apply in relation to the part of the combined warrant consisting of the section 5 warrant.

Commencement Information

- I1** Sch. 8 para. 21(1) in force at 31.5.2018 for specified purposes by S.I. 2018/652, reg. 6(b)(aa)(vi)
- I2** Sch. 8 para. 21(1)(2) in force at 27.6.2018 in so far as not already in force by S.I. 2018/652, reg. 12(e)(ii)
- I3** Sch. 8 para. 21(2) in force at 31.5.2018 for specified purposes by S.I. 2018/652, reg. 6(b)(bb)(vi)
- I4** Sch. 8 para. 21(3) in force at 31.5.2018 by S.I. 2018/652, reg. 6(b)(cc)(vi)

- 22 (1) A combined warrant under Part 2 of this Schedule addressed to any person may only be issued, renewed or cancelled in accordance with the procedural rules that would apply to the issue, renewal or cancellation of a targeted equipment interference warrant addressed to that person (see Part 5 of this Act).
- (2) In sub-paragraph (1) “procedural rules” has the same meaning as in paragraph 21(1).
- (3) But if a combined warrant under paragraph 8 or 10 includes a warrant which the person issuing the combined warrant has power to issue under section 5 of the

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Intelligence Services Act 1994 (a “section 5 warrant”), any requirement (arising from sub-paragraph (1) above) for the involvement of Judicial Commissioners in the decision whether to issue or renew the combined warrant does not apply in relation to the part of the combined warrant consisting of the section 5 warrant.

Commencement Information

- I5** Sch. 8 para. 22(1) in force at 31.5.2018 for specified purposes by [S.I. 2018/652](#), [reg. 6\(b\)\(vii\)\(aa\)](#)
- I6** [Sch. 8 para. 22\(1\)](#) in force at 27.6.2018 in so far as not already in force by [S.I. 2018/652](#), [reg. 12\(e\)\(ii\)](#)
- I7** Sch. 8 para. 22(2)(3) in force at 31.5.2018 by [S.I. 2018/652](#), [reg. 6\(b\)\(vii\)\(bb\)](#)

- 23 (1) A combined warrant under Part 3 of this Schedule addressed to any person may only be issued, renewed or cancelled in accordance with the procedural rules that would apply to the issue, renewal or cancellation of a targeted examination warrant under section 19(2) addressed to that person (see Chapter 1 of Part 2 of this Act).

(2) In sub-paragraph (1) “procedural rules” has the same meaning as in paragraph 21(1).

Commencement Information

- I8** Sch. 8 para. 23(1) in force at 31.5.2018 for specified purposes by [S.I. 2018/652](#), [reg. 6\(b\)\(viii\)\(aa\)](#)
- I9** [Sch. 8 para. 23\(1\)](#) in force at 27.6.2018 in so far as not already in force by [S.I. 2018/652](#), [reg. 12\(e\)\(ii\)](#)
- I10** Sch. 8 para. 23(2) in force at 31.5.2018 by [S.I. 2018/652](#), [reg. 6\(b\)\(viii\)\(bb\)](#)

- 24 (1) In consequence of paragraphs 21 and 22, the following provisions of the Police Act 1997 do not apply in relation to an authorisation under section 93 of that Act which is included in a combined warrant—

- (a) section 96 (notification of authorisations to Judicial Commissioner);
- (b) section 97 (authorisations requiring approval);
- (c) section 103(1), (2) and (4) (power to quash or cancel authorisations);
- (d) section 104 (appeals to Investigatory Powers Commissioner).

(2) Section 103(6) of that Act applies where a combined warrant containing an authorisation under section 93 of that Act is cancelled as it applies where such an authorisation is cancelled under section 103(4) of that Act.

Commencement Information

- I11** [Sch. 8 para. 24](#) in force at 26.9.2018 by [S.I. 2018/940](#), [reg. 3\(g\)\(ii\)](#)

- 25 In consequence of paragraphs 21 and 22, the following provisions of the Regulation of Investigatory Powers Act 2000 do not apply in relation to an authorisation under section 32 of that Act which is included in a combined warrant—

- (a) section 35 (notification of authorisations to Judicial Commissioner);
- (b) section 36 (approval required for authorisations to take effect);
- (c) section 37(2) to (4) (power to quash or cancel authorisations);
- (d) section 38 (appeals to Investigatory Powers Commissioner).

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I12 [Sch. 8 para. 25](#) in force at 27.6.2018 by [S.I. 2018/652](#), [reg. 12\(e\)\(iii\)](#)

26 In consequence of paragraphs 21 and 22, the following provisions of the Regulation of Investigatory Powers (Scotland) Act 2000 do not apply in relation to an authorisation under section 10 of that Act which is included in a combined warrant—

- (a) section 13 (notification of authorisations to Judicial Commissioner);
- (b) section 14 (approval required for authorisations to take effect);
- (c) section 15(1) to (3) (power to quash or cancel authorisations);
- (d) section 16 (appeals to Investigatory Powers Commissioner).

Commencement Information

I13 [Sch. 8 para. 26](#) in force at 26.9.2018 by [S.I. 2018/940](#), [reg. 3\(g\)\(ii\)](#)

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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\(3\)\(a\)](#)