



Investigatory Powers Act 2016

2016 CHAPTER 25

PART 5

EQUIPMENT INTERFERENCE

Approval of warrants by Judicial Commissioners

109 Approval of warrants issued in urgent cases

- (1) This section applies where—
 - (a) a warrant under this Part is issued without the approval of a Judicial Commissioner, and
 - (b) the person who issued the warrant considered that there was an urgent need to issue it.
- (2) The person who issued the warrant must inform a Judicial Commissioner that it has been issued.
- (3) The Judicial Commissioner must, before the end of the relevant period—
 - (a) decide whether to approve the decision to issue the warrant, and
 - (b) notify the person of the Judicial Commissioner's decision.

“The relevant period” means the period ending with the [^{F1}ninth] working day after the day on which the warrant was issued.
- (4) If a Judicial Commissioner refuses to approve the decision to issue a warrant, the warrant—
 - (a) ceases to have effect (unless already cancelled), and
 - (b) may not be renewed,and section 108(5) does not apply in relation to the refusal to approve the decision.
- (5) Section 110 contains further provision about what happens if a Judicial Commissioner refuses to approve the decision to issue a warrant.

Changes to legislation: *Investigatory Powers Act 2016, Section 109 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*

Textual Amendments

- F1** Word in [s. 109\(3\)](#) substituted (temp.) (27.3.2020) by virtue of [The Investigatory Powers \(Temporary Judicial Commissioners and Modification of Time Limits\) Regulations 2020 \(S.I. 2020/360\)](#), regs. 1(2), [4\(a\)](#) (with [reg. 5](#))
-

Commencement Information

- I1** S. 109 in force at 27.6.2018 by [S.I. 2018/652](#), [reg. 9\(d\)](#)

Changes to legislation:

Investigatory Powers Act 2016, Section 109 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.

[View outstanding changes](#)

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