



Investigatory Powers Act 2016

2016 CHAPTER 25

PART 5

EQUIPMENT INTERFERENCE

Additional safeguards

111 Members of Parliament etc.

- (1) Subsection (3) applies where—
 - (a) an application is made to the Secretary of State for a targeted equipment interference warrant, and
 - (b) the purpose of the warrant is to obtain—
 - (i) communications sent by, or intended for, a person who is a member of a relevant legislature, or
 - (ii) a member of a relevant legislature's private information.
- (2) Subsection (3) also applies where—
 - (a) an application is made to the Secretary of State for a targeted examination warrant, and
 - (b) the purpose of the warrant is to authorise the selection for examination of protected material which consists of—
 - (i) communications sent by, or intended for, a person who is a member of a relevant legislature, or
 - (ii) a member of a relevant legislature's private information.
- (3) The Secretary of State may not issue the warrant without the approval of the Prime Minister.
- (4) Subsection (5) applies where—
 - (a) an application is made under section 106 to a law enforcement chief for a targeted equipment interference warrant, and
 - (b) the purpose of the warrant is to obtain—

Changes to legislation: *Investigatory Powers Act 2016, Section 111 is up to date with all changes known to be in force on or before 22 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*

- (i) communications sent by, or intended for, a person who is a member of a relevant legislature, or
 - (ii) a member of a relevant legislature's private information.
- (5) The law enforcement chief may not issue the warrant without the approval of the Secretary of State unless the law enforcement chief believes that the warrant (if issued) would authorise interference only with equipment which would be in Scotland at the time of the issue of the warrant or which the law enforcement chief believes would be in Scotland at that time.
- (6) The Secretary of State may give approval for the purposes of subsection (5) only with the approval of the Prime Minister.
- (7) In a case where the decision whether to issue a targeted equipment interference warrant is to be taken by an appropriate delegate in relation to a law enforcement chief under section 106(4), the reference in subsection (5) to the law enforcement chief is to be read as a reference to the appropriate delegate.
- (8) In this section “member of a relevant legislature” means—
 - (a) a member of either House of Parliament;
 - (b) a member of the Scottish Parliament;
 - (c) a member of the National Assembly for Wales;
 - (d) a member of the Northern Ireland Assembly;
 - ^{F1}(e)

Textual Amendments

- F1** S. 111(8)(e) repealed (31.1.2020) by [The European Parliamentary Elections Etc. \(Repeal, Revocation, Amendment and Saving Provisions\) \(United Kingdom and Gibraltar\) \(EU Exit\) Regulations 2018](#) (S.I. 2018/1310), [reg. 1](#), [Sch. 1 Pt. 1](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)
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Commencement Information

- I1** S. 111(1)-(3)(8) in force at 31.5.2018 by [S.I. 2018/652](#), [reg. 4\(i\)](#)
- I2** S. 111(4)-(7) in force at 28.11.2018 by [S.I. 2018/1246](#), [reg. 2\(d\)](#)

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