



Investigatory Powers Act 2016

2016 CHAPTER 25

PART 6

BULK WARRANTS

CHAPTER 3

BULK EQUIPMENT INTERFERENCE WARRANTS

Duration, modification and cancellation of warrants

185 Renewal of warrants

- (1) If the renewal conditions are met, a bulk equipment interference warrant may be renewed, at any time during the renewal period, by an instrument issued by the Secretary of State.

This is subject to subsection (6).

- (2) The renewal conditions are—
- (a) that the Secretary of State considers that the warrant continues to be necessary—
 - (i) in the interests of national security, or
 - (ii) on that ground and on any other grounds falling within section 178(2),
 - (b) that the Secretary of State considers that the conduct that would be authorised by the renewed warrant continues to be proportionate to what is sought to be achieved by that conduct,
 - (c) that the Secretary of State considers that—
 - (i) each of the specified operational purposes (see section 183) is a purpose for which the examination of material obtained under the warrant continues to be, or may be, necessary, and

Status: This is the original version (as it was originally enacted).

- (ii) the examination of such material for each such purpose continues to be necessary on any of the grounds on which the Secretary of State considers that the warrant continues to be necessary, and
 - (d) that the decision to renew the warrant has been approved by a Judicial Commissioner.
- (3) “The renewal period” means—
- (a) in the case of an urgent warrant which has not been renewed, the relevant period;
 - (b) in any other case, the period of 30 days ending with the day at the end of which the warrant would otherwise cease to have effect.
- (4) The decision to renew a bulk equipment interference warrant must be taken personally by the Secretary of State, and the instrument renewing the warrant must be signed by the Secretary of State.
- (5) Section 179 (approval of warrants by Judicial Commissioners) applies in relation to a decision to renew a bulk equipment interference warrant as it applies in relation to a decision to issue a bulk equipment interference warrant.
- This is subject to subsection (6).
- (6) In the case of a bulk equipment interference warrant which has been modified so that it no longer authorises or requires the securing of interference with any equipment or the obtaining of any communications, equipment data or other information—
- (a) the renewal condition in subsection (2)(a) is to be disregarded,
 - (b) the reference in subsection (2)(c)(ii) to the grounds on which the Secretary of State considers the warrant to be necessary is to be read as a reference to any grounds falling within section 178(1)(b) or (2), and
 - (c) section 179 has effect as if—
 - (i) paragraph (a) of subsection (1) were omitted, and
 - (ii) the reference in subsection (1)(c)(ii) to the grounds on which the Secretary of State considers the warrant to be necessary were a reference to any grounds falling within section 178(1)(b) or (2).
- (7) In this section—
- “the relevant period” has the same meaning as in section 184;
 - “urgent warrant” is to be read in accordance with subsection (3) of that section.