



Investigatory Powers Act 2016

2016 CHAPTER 25

PART 2

LAWFUL INTERCEPTION OF COMMUNICATIONS

CHAPTER 1

INTERCEPTION AND EXAMINATION WITH A WARRANT

Power to issue warrants

20 Grounds on which warrants may be issued by Secretary of State

- (1) This section has effect for the purposes of this Part.
- (2) A targeted interception warrant or targeted examination warrant is necessary on grounds falling within this section if it is necessary—
 - (a) in the interests of national security,
 - (b) for the purpose of preventing or detecting serious crime, or
 - (c) in the interests of the economic well-being of the United Kingdom so far as those interests are also relevant to the interests of national security (but see subsection (4)).
- (3) A mutual assistance warrant is necessary on grounds falling within this section if—
 - (a) it is necessary for the purpose of giving effect to the provisions of ^{F1}... an international mutual assistance agreement, and
 - (b) the circumstances appear to the Secretary of State to be equivalent to those in which the Secretary of State would issue a warrant by virtue of subsection (2)(b).
- (4) A warrant may be considered necessary as mentioned in subsection (2)(c) only if the information which it is considered necessary to obtain is information relating to the acts or intentions of persons outside the British Islands.

Changes to legislation: Investigatory Powers Act 2016, Section 20 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](#)

- (5) A warrant may not be considered necessary on grounds falling within this section if it is considered necessary only for the purpose of gathering evidence for use in any legal proceedings.
- (6) The fact that the information which would be obtained under a warrant relates to the activities in the British Islands of a trade union is not, of itself, sufficient to establish that the warrant is necessary on grounds falling within this section.

Textual Amendments

- F1** Words in s. 20(3)(a) omitted (31.12.2020) by virtue of [The Law Enforcement and Security \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/742\)](#), regs. 1, **82(5)** (with [reg. 83](#)); 2020 c. 1, Sch. 5 para. 1(1)
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Commencement Information

- I1** S. 20 in force at 31.5.2018 by [S.I. 2018/652](#), **reg. 3(f)**

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