



Investigatory Powers Act 2016

2016 CHAPTER 25

PART 7

BULK PERSONAL DATASET WARRANTS

Issue of warrants

212 Requirements that must be met by warrants

- (1) A class BPD warrant or a specific BPD warrant must contain a provision stating whether it is a class BPD warrant or (as the case may be) a specific BPD warrant.
- (2) A class BPD warrant or a specific BPD warrant must be addressed to the head of the intelligence service by whom, or on whose behalf, the application for the warrant was made.
- (3) A class BPD warrant must—
 - (a) include a description of the class of bulk personal datasets to which the warrant relates, and
 - (b) where the warrant authorises examination of bulk personal datasets of that class, specify the operational purposes for which data contained in bulk personal datasets of that class may be selected for examination.
- (4) A specific BPD warrant must—
 - (a) describe the bulk personal dataset to which the warrant relates,
 - (b) where the warrant authorises the retention or examination of replacement datasets, include a description that will enable those datasets to be identified,
 - (c) where the warrant authorises the examination of the bulk personal dataset or replacement datasets, specify the operational purposes for which data contained in the bulk personal dataset and any replacement datasets may be selected for examination, and
 - (d) where the Secretary of State has imposed conditions under section 207, specify those conditions.

Status: Point in time view as at 25/07/2018.

Changes to legislation: Investigatory Powers Act 2016, Section 212 is up to date with all changes known to be in force on or before 24 May 2024. 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)

- (5) The operational purposes specified in a class BPD warrant or a specific BPD warrant must be ones specified, in a list maintained by the heads of the intelligence services (“the list of operational purposes”), as purposes which they consider are operational purposes for which data contained in bulk personal datasets retained in reliance on class BPD warrants or specific BPD warrants may be selected for examination.
- (6) A class BPD warrant or a specific BPD warrant may, in particular, specify all of the operational purposes which, at the time the warrant is issued, are specified in the list of operational purposes.
- (7) An operational purpose may be specified in the list of operational purposes only with the approval of the Secretary of State.
- (8) The Secretary of State may give such approval only if satisfied that the operational purpose is specified in a greater level of detail than the descriptions contained in section 204(3)(a) or (as the case may be) section 205(6)(a).
- (9) At the end of each relevant three-month period, the Secretary of State must give a copy of the list of operational purposes to the Intelligence and Security Committee of Parliament.
- (10) In subsection (9), “relevant three-month period” means—
 - (a) the period of three months beginning with the day on which this section comes into force, and
 - (b) each successive period of three months.
- (11) The Prime Minister must review the list of operational purposes at least once a year.
- (12) In this Part, “the specified operational purposes”, in relation to a class BPD warrant or a specific BPD warrant, means the operational purposes specified in the warrant in accordance with this section.

Commencement Information

II S. 212 in force at 25.7.2018 by S.I. 2018/873, reg. 2(s)

Status:

Point in time view as at 25/07/2018.

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