



# Crime (Overseas Production Orders) Act 2019

## 2019 CHAPTER 5

### *Miscellaneous and general*

#### **16 Designation of international agreements for purposes of section 52 of Investigatory Powers Act 2016**

- (1) Section 52 of the Investigatory Powers Act 2016 (interception of communications in accordance with overseas requests) is amended as follows.
- (2) In subsection (3), at the end insert “(see further subsections (6) and (7))”.
- (3) After subsection (5) insert—
  - “(6) Subsection (7) applies where an international agreement provides for requests for the interception of a communication to be made by the competent authorities of a country or territory, or of more than one country or territory, in which a person found guilty of a criminal offence may be sentenced to death for the offence under the general criminal law of the country or territory concerned.

Such an offence is referred to in subsection (7) as a “death penalty offence”.

- (7) Where this subsection applies, the Secretary of State may not designate the agreement as a relevant international agreement unless the Secretary of State has sought, in respect of each country or territory referred to in subsection (6), a written assurance, or written assurances, relating to the non-use of information obtained by virtue of the agreement in connection with proceedings for a death penalty offence in the country or territory.”