



# Investigatory Powers (Amendment) Act 2024

## 2024 CHAPTER 9

### PART 5

#### MISCELLANEOUS

##### *Members of Parliament etc*

PROSPECTIVE

### **23 Equipment interference: Members of Parliament etc**

- (1) Section 111 of the Investigatory Powers Act 2016 (equipment interference: Members of Parliament etc) is amended as follows.
- (2) In subsection (3)—
  - (a) the words “the Prime Minister” become paragraph (a);
  - (b) after that paragraph insert “, or
    - (b) if conditions A and B are met, an individual (other than that Secretary of State) designated by the Prime Minister under this section.”
- (3) In subsection (6)—
  - (a) the words “the Prime Minister” become paragraph (a);
  - (b) after that paragraph insert “, or
    - (b) if conditions A and B are met, an individual (other than that Secretary of State) designated by the Prime Minister under this section.”
- (4) After subsection (7) insert—

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*Status: This version of this provision is prospective.*

*Changes to legislation: There are currently no known outstanding effects for the Investigatory Powers (Amendment) Act 2024, Section 23. (See end of Document for details)*

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- “(7A) Condition A is that the Prime Minister is unable to decide whether to give approval under subsection (3) or (as the case may be) (6), due to incapacity or inability to access secure communications.
- (7B) Condition B is that the Secretary of State or a senior official considers that there is an urgent need for the decision (as to whether to give such approval) to be made.
- (7C) The Prime Minister may designate up to five individuals under this section.
- (7D) The Prime Minister may designate an individual under this section only if the individual—
- (a) holds the office of Secretary of State, and
  - (b) has the necessary operational awareness to decide whether to give approvals under subsection (3) or (6).
- (7E) A designation under this section ends—
- (a) when the individual ceases to hold the office of Secretary of State, or
  - (b) if earlier, when revoked by the Prime Minister.”

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**Commencement Information**

**II** S. 23 not in force at Royal Assent, see [s. 32\(2\)](#)

**Status:**

This version of this provision is prospective.

**Changes to legislation:**

There are currently no known outstanding effects for the Investigatory Powers (Amendment) Act 2024, Section 23.