



Investigatory Powers Act 2016

2016 CHAPTER 25

PART 5

EQUIPMENT INTERFERENCE

Further provision about warrants

125 Cancellation of warrants

- (1) Any of the appropriate persons may cancel a warrant issued under this Part at any time.
- (2) If any of the appropriate persons considers that—
 - (a) a warrant issued under this Part is no longer necessary on any relevant grounds, or
 - (b) the conduct authorised by a warrant issued under this Part is no longer proportionate to what is sought to be achieved by the conduct,the person must cancel the warrant.
- (3) In subsection (2)(a), “relevant grounds” means—
 - (a) in the case of a warrant issued under section 102, grounds falling within section 102(5);
 - (b) in the case of a warrant issued under section 103, the purpose of preventing or detecting serious crime;
 - (c) in the case of a warrant issued under section 104, the interests of national security;
 - (d) in the case of a warrant issued under section 106(1), the purpose mentioned in section 106(1)(a);
 - (e) in the case of a warrant issued under section 106(3), the purpose mentioned in section 106(3)(a).
- (4) For the purposes of this section, “the appropriate persons” are—

Changes to legislation: *Investigatory Powers Act 2016, Section 125 is up to date with all changes known to be in force on or before 23 April 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) View outstanding changes*

- (a) in the case of a warrant issued by the Secretary of State under section 102 or 104, the Secretary of State or a senior official acting on behalf of the Secretary of State;
 - (b) in the case of a warrant issued by the Scottish Ministers under section 103, a member of the Scottish Government or a senior official acting on behalf of the Scottish Ministers;
 - (c) in the case of a warrant issued under section 106 by a law enforcement chief or by an appropriate delegate in relation to the law enforcement chief, either—
 - (i) the law enforcement chief, or
 - (ii) if the warrant was issued by an appropriate delegate, that person.
- (5) Where a warrant is cancelled under this section, the person to whom the warrant was addressed must, so far as is reasonably practicable, secure that anything in the process of being done under the warrant stops as soon as possible.
- (6) A warrant that has been cancelled under this section may not be renewed.

Commencement Information

I1 S. 125 in force at 27.6.2018 for specified purposes by S.I. 2018/652, reg. 9(m)

I2 S. 125 in force at 5.12.2018 in so far as not already in force by S.I. 2018/1246, reg. 3(e)

Changes to legislation:

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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):

- s. 58(4)(e) inserted by [2023 c. 41 Sch. 13 para. 9](#)