



House of Commons

Tuesday 15 July 2014

COMMITTEE OF THE WHOLE HOUSE

DATA RETENTION AND INVESTIGATORY POWERS BILL

Mr George Howarth
Mr Mark Field
Hazel Blears
Fiona Mactaggart

1

Clause 3, page 4, line 19, at end insert—

“(5) In section 25 (interpretation of Chapter 11), subsection (1), after “in accordance with subsection (2);”, insert—

““economic well-being of the United Kingdom” is defined as the security of critical national infrastructure, the conduct of defence contracts, the development, manufacture and design of UK defence systems, and the stability of the UK currency, banking and financial systems.”

Mr Tom Watson
Caroline Lucas
John Hemming
Mr Elfyn Llwyd
Mr David Davis
Mr Angus Brendan McNeil

Mr Roger Godsiff
Mr Khalid Mahmood
Jeremy Corbyn
Katy Clark
Ian Mearns
Ms Diane Abbott

Jim Sheridan
Mr David Anderson
Mrs Linda Riordan
Jonathan Edwards
Grahame M. Morris
Mr David Winnick

Mr George Mudie
Teresa Pearce
Ian Lavery
Hywel Williams
John McDonnell
Mr Dennis Skinner

2

Clause 6, page 7, line 2, leave out “2016” and insert “2014”

Data Retention and Investigatory Powers Bill, *continued**NEW CLAUSES*

Edward Miliband
Yvette Cooper
Mr Douglas Alexander
Ms Rosie Winterton
Emily Thornberry
Mr David Hanson

NC1

To move the following Clause—

“Review of the powers, regulation, proportionality and oversight for communications and interception

- (6) The Secretary of State must arrange—
- (a) for the operation and future of the powers, regulation, proportionality and oversight for data retention, access and interception to be reviewed, and
 - (b) for a report on the outcome of the review to be produced and published.
- (7) Subsection (1) does not prevent the review from also dealing with other matters relating to the Regulation of Investigatory Powers Act 2000, the Intelligence Services Act 1994, oversight of the intelligence agencies and data privacy.
- (8) The arrangements made by the Secretary of State must provide for the review to begin as soon as practicable, be carried out by the Independent Reviewer of Terrorism Legislation, and include public consultation.
- (9) The full terms of reference must be established in consultation with the Independent Reviewer of Terrorism Legislation and relevant Select Committees of both Houses of Parliament.”

Edward Miliband
Yvette Cooper
Mr Douglas Alexander
Ms Rosie Winterton
Emily Thornberry
Mr David Hanson

NC2

To move the following Clause—

“Oversight by the Interception of Communications Commissioner

- (1) The Interception of Communications Commissioner must report on the operation of sections 1 to 5 of this Act within six months of this Act coming into force and on six-monthly intervals thereafter.”
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Data Retention and Investigatory Powers Bill, *continued*

Dr Julian Huppert

NC3

To move the following Clause—

“Transparency on data collection

- (1) To require any public authority requesting data requested from a communications service provider to maintain proper records including—
 - (a) the category of offence being investigated;
 - (b) the length of time the data had been retained by the CSP when it was requested;
 - (c) the type of data requested, as per the definitions in section 21 of the Regulation of Investigatory Powers Act 2000.”
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Dr Julian Huppert

NC4

To move the following Clause—

“Legal certainty for transparency reporting

- (1) The Regulation of Investigatory Powers Act 2000 is amended as in subsection (2).
- (2) In section 54 (Tipping-off), after subsection (5) insert—
 - “(5A) In proceedings against any person for an offence under this section in respect of any disclosure, it shall be a defence for that person to show that the disclosure was made as part of an aggregated statistical disclosure covering a period of time greater than six months.””

Member’s explanatory statement

This amendment would provide a defence against the “tipping-off” offence, which has been cited as a reason why companies cannot release transparency reports. This amendment would allow statistics to be made available at six monthly (or greater) intervals.
