



# House of Commons

Thursday 28 April 2016

## PUBLIC BILL COMMITTEE PROCEEDINGS

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### INVESTIGATORY POWERS BILL

[THIRTEENTH AND FOURTEENTH SITTINGS]

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*Clause 187 agreed to on division.*

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

*Negatived on division 741*

Clause 194, page 148, line 36, at beginning insert—

- “( ) There shall be a body corporate known as the Investigatory Powers Commission.
- ( ) The Investigatory Powers Commission shall have such powers and duties as shall be specified in this Act.”

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

*Withdrawn 735*

Clause 194, page 148, line 36, leave out “Prime Minister” and insert “Lord Chancellor”

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

*Not called 736*

Clause 194, page 148, line 36, after “appoint”, insert “in accordance with the procedure set out in the Constitutional Reform Act 2003”

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**Investigatory Powers Bill, *continued***

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* 742

Clause 194, page 148, line 40, at end insert—

- “(1A) The Investigatory Powers Commissioner must appoint—
- (a) the Chief Inspector, and
  - (b) such number of inspectors as the Investigatory Powers Commissioner considers necessary for the carrying out of the functions of the Investigatory Powers Commission.
- (1B) In appointing investigators the Investigatory Powers Commissioner shall—
- (a) appoint an individual only if the Investigatory Powers Commissioner thinks that the individual—
    - (i) has experience or knowledge relating to a relevant matter, and
    - (ii) is suitable for appointment,
  - (b) have regard to the desirability of the investigators together having experience and knowledge relating to the relevant matters.
- (1C) For the purposes of sub-paragraph (1) of subsection (2B) the relevant matters are those matters in respect of which the Investigatory Powers Commission has functions including, in particular—
- (a) national security;
  - (b) the prevention and detection of serious crime;
  - (c) the protection of privacy and the integrity of personal data;
  - (d) the security and integrity of computer systems and networks;
  - (e) the law, in particular, as it relates to the matters in subsections (2B)(a) and (b);
  - (f) human rights as defined in section 9(2) of the Equality Act 2006.”

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* 740

Clause 194, page 149, line 4, at end insert—

- “(2A) The Prime Minister may make an appointment under subsection (1) only following a recommendation by—
- (a) the Judicial Appointments Commission;
  - (b) the Judicial Appointments Board of Scotland; or
  - (c) the Northern Ireland Judicial Appointments Commission.”

Investigatory Powers Bill, *continued*

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Clause 194, page 149, line 5, leave out subsection (3)

*Not called* 737

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Clause 194, page 149, line 12, leave out subsection (4)

*Not called* 738

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Clause 194, page 149, line 14, leave out subsection (5)

*Not called* 739

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

Clause 194, page 149, line 23, at end insert—

“(7A) The Chief Inspector is an Inspector and the Chief Inspector and the other Inspector are to be known, collectively, as the Inspectors.”

*Not called* 743

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

Clause 194, page 149, line 31, at end insert—

“(c) to the Investigatory Powers Commission are to be read as appropriate to refer to the body corporate, the Investigatory Powers Commission, and in so far as it will refer to the conduct of powers, duties and functions, those shall be conducted by either the Judicial Commissioners or the Inspectors as determined by this Act or by the Investigatory Powers Commissioner, consistent with the provisions of this Act.”

*Not called* 744

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**Investigatory Powers Bill, *continued***

*Clause agreed to.*

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Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnoch  
Sue Hayman

Joanna Cherry

Gavin Newlands

*Withdrawn* **745**

Clause **195**, page **149**, line **34**, leave out “three” and insert “six”

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnoch  
Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* **746**

Clause **195**, page **149**, line **36**, after “may”, insert “not”

Joanna Cherry  
Gavin Newlands

*Not called* **860**

Clause **195**, page **150**, line **18**, at end insert—

“(e) the Commissioner is unfit to hold out office by reason of inability, neglect of duty or misbehaviour.”

Joanna Cherry  
Gavin Newlands

*Not called* **861**

Clause **195**, page **150**, line **18**, at end insert—

“(6) Before removing a Judicial Commissioner the Prime Minister must consult—

- (a) the Lord Chief Justice of England and Wales,
- (b) the Lord President of the Court of Session,
- (c) the Lord Chief Justice of Northern Ireland,
- (d) the Scottish Ministers, and
- (e) the First Minister and Deputy First Minister in Northern Ireland.”

*Clause agreed to.*

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Investigatory Powers Bill, *continued*

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

Clause 196, page 150, line 21, leave out “Commissioner” and insert “Commission” *Not called 753*

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

Clause 196, page 150, line 38, leave out “Commissioner” and insert “Commission” *Not called 754*

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

Clause 196, page 150, line 43, at end insert “and under section 217 (*technical capability notices*)” *Negatived on division 752*

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

Clause 196, page 151, line 18, leave out “Commissioner” and insert “Commission” *Not called 755*

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 Investigatory Powers Bill, *continued*

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Joanna Cherry

Gavin Newlands

*Negatived on division* 747

Clause 196, page 151, line 19, leave out subsection (4)(a)

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* 756

Clause 196, page 151, line 41, at end insert—

“(4A) The powers and functions specified in this Part will be exercised by the Inspectors under the supervision of the Investigatory Powers Commissioner, except in so far as those powers are powers of the Judicial Commissioners specified in Parts 1 to 8 of this Act.”

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Joanna Cherry

Gavin Newlands

*Negatived on division* 748

Clause 196, page 151, line 42, leave out from “must” to end of line 44 and insert “have due regard to the public interest in avoiding acts prejudicial to”

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* 749

Clause 196, page 151, line 43, after “Commissioner”, insert “or Inspector”

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 Investigatory Powers Bill, *continued*

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

*Negatived on division* **750**

Clause **196**, page **151**, line **47**, leave out subsection (c) and insert—

“(c) privacy and the integrity of personal data; and

(d) the security and integrity of communications systems and networks.”

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

*Negatived on division* **751**

Clause **196**, page **151**, line **48**, leave out subsections (6) and (7)

*Clause agreed to.*

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Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

*Negatived on division* **760**

Clause **197**, page **152**, line **27**, leave out “directed” and insert “requested”

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

*Not called* **757**

Clause **197**, page **152**, line **28**, leave out “Commissioner” and insert “Commission”

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 Investigatory Powers Bill, *continued*

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Joanna Cherry

Gavin Newlands

Clause 197, page 152, line 28, leave out “must” and insert “may” *Not called* 761

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Clause 197, page 152, line 35, leave out “Commissioner” and insert “Commission” *Not called* 758

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Joanna Cherry

Gavin Newlands

Clause 197, page 152, line 39, leave out “in a manner which the Prime Minister consider appropriate” *Not called* 762

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Joanna Cherry

Gavin Newlands

Clause 197, page 152, line 42, leave out “contrary to the public interest or” and insert “seriously” *Not called* 763

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Joanna Cherry

Gavin Newlands

Clause 197, page 152, line 45, leave out subsections (4)(c) and (4)(d) *Not called* 764



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Investigatory Powers Bill, *continued*

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

*Not selected* 759

Page 152, line 26, leave out Clause 197

*Clause agreed to on division.*

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Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

*Withdrawn* 773

Clause 198, page 153, line 6, leave out from “aware” to the end of line 9.

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

*Not called* 765

Clause 198, page 153, line 6, leave out “if the Commissioner considers that —”

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

*Not called* 766

Clause 198, page 153, line 8, leave out subsection (1)(a)

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

*Not called* 767

Clause 198, page 153, line 10, leave out subsection (2)

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 Investigatory Powers Bill, *continued*

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* 774

Clause 198, page 153, line 10, leave out subsections (2) to (5) and insert—

- “(2) The Investigatory Powers Commissioner may decide not to inform a person of an error in exceptional circumstances.
- (3) Exceptional circumstances under subsection (2) will arise if the public interest in disclosure is outweighed by a significant prejudice to—
  - (a) national security, or
  - (b) the prevention and detection of serious crime.”

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

*Not called* 778

Clause 198, page 153, line 11, leave out “may not” and insert “must”

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

*Not called* 779

Clause 198, page 153, line 12, after “has”, insert “not”

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

*Not called* 780

Clause 198, page 153, line 12, leave out “significant”

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

*Not called* 768

Clause 198, page 153, line 14, leave out subsection (3)

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Investigatory Powers Bill, *continued*

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Clause 198, page 153, line 14, leave out “has” and insert “may have” *Not called* 781

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Clause 198, page 153, line 15, leave out “not” *Not called* 782

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Clause 198, page 153, line 19, leave out subsection (4)(a) *Not called* 769

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Clause 198, page 153, line 19, leave out “and its effect on the person concerned” *Not called* 783

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Clause 198, page 153, line 20, leave out “contrary to the public interest or” and insert “seriously” *Not called* 784

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Clause 198, page 153, line 24, leave out subsection (4)(b)(iii) *Not called* 770

**Investigatory Powers Bill, *continued***

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Clause 198, page 153, line 25, leave out subsection (4)(b)(iv)

*Not called* 771

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Clause 198, page 153, line 26, at end insert—

“(4A) In subsection (4) any publication will be considered “seriously prejudicial” where it would involve a significant risk to the life or of serious physical injury of any person.”

*Not called* 785

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

Clause 198, page 153, line 38, at end insert—

“(c) provide the person with such details of the submissions made by the public authority on the error and the matters concerned pursuant to subsection 198(5) as are necessary to inform a complaint to the Investigatory Powers Tribunal.”

*Withdrawn* 775

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

Clause 198, page 153, line 39, leave out subsection (7)

*Not called* 788

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Investigatory Powers Bill, *continued*

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* 776

Clause 198, page 153, line 45, leave out paragraph (b)

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

*Not called* 772

Clause 198, page 154, line 3, after “public authority”, insert “or a telecommunications operator”

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* 777

Clause 198, page 154, line 6, leave out paragraph (b)

*Clause agreed to.*

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Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* 789

Clause 199, page 154, line 11, leave out “Judicial Commissioner” and insert “Investigatory Powers Commission”

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 Investigatory Powers Bill, *continued*

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Joanna Cherry

Gavin Newlands

*Withdrawn* 792

Clause 199, page 154, line 17, at end insert—

“(1A) A Judicial Commissioner may refer to the Investigatory Powers Tribunal any matter the Commissioner considers may have involved the unlawful use of investigatory powers.”

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* 790

Clause 199, page 154, line 18, leave out “Judicial Commissioner” and insert “Investigatory Powers Commission”

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* 791

Clause 199, page 154, line 21, leave out subsections (3) and (4) and insert—

“(3) In any circumstances where the Commission has identified a relevant error pursuant to section 198, the Commission must give such documents, information or other material as may be relevant to the investigation of the error to the Tribunal.

(4) The duty in subsection (3) shall be exercised without request from the Tribunal.”

*Clause agreed to.*

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Investigatory Powers Bill, *continued*

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry  
Gavin Newlands  
Clause 200, page 154, line 34, leave out “Commissioner” and insert “Commission” *Not called* 794

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry  
Gavin Newlands  
Clause 200, page 154, line 34, leave out “and the other” and insert “, the” *Not called* 795

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry  
Gavin Newlands  
Clause 200, page 154, line 35, after “Commissioners”, insert “and Inspectors” *Not called* 796

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry  
Gavin Newlands  
Clause 200, page 154, line 41, leave out “Commissioner” and insert “Commission” *Not called* 797

*Clause agreed to.*

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Investigatory Powers Bill, *continued*

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

*Withdrawn* **808**

Clause **201**, page **156**, line **37**, leave out “the Prime Minister” and insert “Parliament”

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* **798**

Clause **201**, page **156**, line **38**, leave out “Judicial Commissioners” and insert “the Investigatory Powers Commission”

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* **799**

Clause **201**, page **156**, line **41**, leave out “Commissioner” and insert “Commission”

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

*Withdrawn* **814**

Clause **201**, page **156**, line **42**, after “authorisations”, insert “requested and”

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* **800**

Clause **201**, page **156**, line **47**, leave out “Judicial Commissioners” and insert “the Investigatory Powers Commission”



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Investigatory Powers Bill, *continued*

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* **801**

Clause **201**, page **157**, line **3**, leave out subsection (3)

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* **809**

Clause **201**, page **157**, line **6**, leave out “the Prime Minister” and insert “Parliament”

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* **802**

Clause **201**, page **157**, line **7**, leave out “Judicial Commissioners” and insert “the Investigatory Powers Commission”

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* **803**

Clause **201**, page **157**, line **11**, leave out “Judicial Commissioners” and insert “the Investigatory Powers Commission”

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 Investigatory Powers Bill, *continued*

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* **810**

Clause **201**, page **157**, line **13**, leave out subsection (6) and insert—

“(6) The Investigatory Powers Commissioner must lay a copy of the report before Parliament together with a statement as to whether any part of the report has been excluded from publication under subsection (7).”

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* **811**

Clause **201**, page **157**, line **19**, leave out “The Prime Minister” and insert “The Investigatory Powers Commissioner”

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* **812**

Clause **201**, page **157**, line **19**, leave out “Investigatory Powers Commissioner” and insert “The Prime Minister”

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* **813**

Clause **201**, page **157**, line **22**, leave out “Prime Minister” and insert “Investigatory Powers Commissioner”

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 Investigatory Powers Bill, *continued*

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

Clause 201, page 157, line 23, leave out “contrary to the public interest or” and insert “seriously” *Not called* **804**

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

Clause 201, page 157, line 27, leave out subsections (7)(c) and (7)(d) *Not called* **805**

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Clause 201, page 157, line 28, leave out subsection (7)(d)

*Not called* **815**

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

Clause 201, page 157, line 30, at end insert—

“(7A) In subsection (7) any publication will be considered “seriously prejudicial” where it would involve a significant risk to the life or of serious physical injury of any person.”

*Not called* **806**

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 Investigatory Powers Bill, *continued*

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* **807**

Clause **201**, page **157**, line **40**, leave out “if requested to do so by the Prime Minister”

*Clause agreed to.*

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Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* **816**

Clause **202**, page **157**, line **43**, leave out “Judicial Commissioner” and insert “the Investigatory Powers Commission”

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* **817**

Clause **202**, page **157**, line **44**, leave out “Commissioner” and insert “Commission”

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* **818**

Clause **202**, page **157**, line **45**, leave out “Commissioner’s” and insert “Commission’s”

Investigatory Powers Bill, *continued*

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

*Not called* **829**

Clause **202**, page **158**, line **1**, leave out “Judicial Commissioner” and insert “Investigatory Powers Commission”

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* **819**

Clause **202**, page **158**, line **1**, after “Commissioner” insert “or Inspector”

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* **820**

Clause **202**, page **158**, line **4**, after “Commissioner” insert “or Inspector”

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* **821**

Clause **202**, page **158**, line **8**, after “Commissioner” insert “or Inspector”

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* **822**

Clause **202**, page **158**, line **10**, leave out “Commissioner’s” and insert “Commission’s”

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 Investigatory Powers Bill, *continued*

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Joanna Cherry

Gavin Newlands

Clause **202**, page **158**, line **15**, leave out “Commissioner” and insert “Commission” *Not called* **823**

*Clause agreed to.*

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Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Joanna Cherry

Gavin Newlands

Clause **203**, page **158**, line **33**, at end insert— *Withdrawn* **824**  
 “(1A) A disclosure pursuant to subsection (1) will not constitute a criminal offence for any purposes in this Act or in any other enactment.  
 (1B) In subsection (1), a disclosure for the purposes of any function of the Commissioner may be made at the initiative of the person making the disclosure and without need for request by the Investigatory Powers Commissioner.”

*Clause agreed to.*

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Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Joanna Cherry

Gavin Newlands

Clause **204**, page **158**, line **39**, leave out “*Judicial Commissioners*” and insert “*Investigatory Powers Commission*” *Not called* **825**

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 Investigatory Powers Bill, *continued*

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* 826

Clause 204, page 158, line 40, after “*such*”, insert “*funds*”

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* 827

Clause 204, page 158, line 40, after “*determine*”, insert “*necessary for the purposes of fulfilling the functions of the Investigatory Powers Commission under this Part*”

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* 828

Clause 204, page 158, line 41, leave out subsection (2) and insert—

“(2) *In determining the sums to be paid to the Investigatory Powers Commission pursuant to subsection (1), the Treasury shall consult the Investigatory Powers Commissioner.*”

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

*Withdrawn* 833

Clause 204, page 158, line 41, leave out “*The Secretary of State must*” and insert “*The Treasury must*”

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 Investigatory Powers Bill, *continued*

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* 830

Clause 204, page 158, line 42, leave out “*Commissioner*” and insert “*Commission*”

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

*Not called* 834

Clause 204, page 158, line 42, leave out “*and subject to the approval of the Treasury*”

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* 831

Clause 204, page 158, line 43, leave out “*Judicial Commissioners*” and insert “*Investigatory Powers Commission*”

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

*Not called* 835

Clause 204, page 158, line 43, after “*with*”, insert “*funds to cover*”

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

*Not called* 836

Clause 204, page 159, line 3, leave out “*Secretary of State considers*”



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Investigatory Powers Bill, *continued*

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

Clause 204, page 159, line 3, leave out “Commissioners” and insert “Commission’s” *Not called* 832

Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

*Withdrawn* 837

Clause 204, page 159, line 4, at end insert—

“(3) The staff of the Judicial Commissioners must include independent technical experts.

*Clause agreed to.*

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Keir Starmer  
Jo Stevens  
Christian Matheson  
Peter Kyle  
Stephen Kinnock  
Sue Hayman

Joanna Cherry

Gavin Newlands

*Not selected* 838

Page 159, line 5, leave out Clause 205

*Clause agreed to on division.*

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*Clause 206 agreed to.*

*Clause 207 agreed to.*

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 Investigatory Powers Bill, *continued*

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Joanna Cherry

Gavin Newlands

*Negated on division* **839**

Schedule 7, page 216, line 17, at end insert—

“(5A) A statutory instrument for the purposes of paragraph (4) must be accompanied by a report by the Investigatory Powers Commissioner on the content of the draft code and his consultation response.”

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* **840**

Schedule 7, page 216, line 34, at end insert—

“(5A) A statutory instrument for the purposes of paragraph (4) must be accompanied by a report by the Investigatory Powers Commissioner on the content of the draft code and his consultation response.”

*Schedule agreed to.*

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Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Joanna Cherry

Gavin Newlands

*Negated on division* **843**

Clause 208, page 160, line 13, after “determination”, insert “or ruling or decision, including relating to a procedural matter” and leave out “of a kind mentioned in section 68(4) or any decision of the tribunal or a kind mentioned in section 68(4C)”

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Joanna Cherry

Gavin Newlands

*Not called* **841**

Clause 208, page 160, line 31, leave out subsection (6)

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 Investigatory Powers Bill, *continued*

Keir Starmer  
 Jo Stevens  
 Christian Matheson  
 Peter Kyle  
 Stephen Kinnock  
 Sue Hayman

Joanna Cherry

Gavin Newlands

*Negated on division* **842**

Clause **208**, page **162**, line **22**, at end insert—

“(6) After section 68(1) of the Regulation of Investigatory Powers Act 2000, insert—

“(1A) Any hearing conducted by the Tribunal must be conducted in public, except where a special proceeding is justified in the public interest.

(1B) Any determination by the Tribunal must be made public, except where a special proceeding may be justified in the public interest.

(1C) A special proceeding will be in the public interest only where there is no alternative means to protect sensitive material from disclosure.

(1D) Material will be sensitive material for the purposes of this section if its disclosure would seriously prejudice—

(a) national security, or

(b) the prevention and detection of crime.

(1E) Publication for the purposes of this section will be seriously prejudicial if it would lead to a significant threat to life or of a serious physical injury to a person.

(1F) The Tribunal shall appoint a person to represent the interests of a party in any special proceedings from which the party (and any legal representative of the party) is excluded.

(1G) Such a person will be known as a Special Advocate.””

*Clause agreed to.*

*Clause 209 agreed to.*

*Clause 210 agreed to.*

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Joanna Cherry  
 Gavin Newlands

*Not selected* **863**

Page **164**, line **19**, leave out Clause 211

*Clause agreed to on division.*

[Adjourned until Tuesday 3 May at 4.30 pm]

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