



House of Commons

NOTICES OF AMENDMENTS

given up to and including
Monday 23 May 2016

New Amendments handed in are marked thus ★

☆ *Amendments which will comply with the required notice period at their next appearance*

Amendments tabled since the last publication: 7

CONSIDERATION OF BILL (REPORT STAGE)

INVESTIGATORY POWERS BILL

NOTE

This document includes all amendments tabled to date and includes any withdrawn amendments at the end. The amendments have been arranged in the order in which they relate to the Bill.

NEW CLAUSE

Mr Alistair Carmichael

NC1

To move the following Clause—

“Notification by the Investigatory Powers Commissioner

- (1) The Investigatory Powers Commissioner is to notify the subject or subjects of investigatory powers relating to the statutory functions identified in section 196, subsections (1), (2) and (3), including—
 - (a) the interception or examination of communications,
 - (b) the retention, accessing or examination of communications data or secondary data,
 - (c) equipment interference,
 - (d) access or examination of data retrieved from a bulk personal dataset,
 - (e) covert human intelligence sources,
 - (f) entry or interference with property.

Investigatory Powers Bill, *continued*

- (2) The Investigatory Powers Commissioner must only notify subjects of investigatory powers under subsection (1) upon completion of the relevant conduct or the cancellation of the authorisation or warrant.
 - (3) The notification under subsection (1) must be sent by writing within thirty days of the completion of the relevant conduct or cancellation of the authorisation or warrant.
 - (4) The Investigatory Powers Commissioner must issue the notification under subsection (1) in writing, including details of—
 - (a) the conduct that has taken place, and
 - (b) the provisions under which the conduct has taken place, and
 - (c) any known errors that took place within the course of the conduct.
 - (5) The Investigatory Powers Commissioner may postpone the notification under subsection (1) beyond the time limit under subsection (3) if the Commissioner assesses that notification may defeat the purposes of an on-going serious crime or national security operation or investigation.
 - (6) The Investigatory Powers Commissioner must consult with the person to whom the warrant is addressed in order to fulfil an assessment under subsection (5).”
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Sir Edward Leigh

1

Clause 24, page 19, line 8, at end insert “and where the member is a member of the House of Commons he must also consult the Speaker of the House of Commons”

Member’s explanatory statement

This amendment would require the Secretary of State to consult the Speaker before deciding to issue a warrant that applied to an MP’s communications.

Mr Alistair Carmichael

Page 46, line 40, leave out Clause 58

4

Mr Alistair Carmichael

Page 47, line 36, leave out Clause 59

5

Mr Alistair Carmichael

Page 48, line 16, leave out Clause 60

6

Investigatory Powers Bill, *continued*

Mr Alistair Carmichael

3

Clause 78, page 62, line 22, leave out “therefore includes, in particular” and insert “does not include”

Mr Douglas Carswell

7

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

“(3A) The term of office of a person appointed under subsection (1)(a) as Investigatory Powers Commissioner must not begin before the Intelligence and Security Committee of Parliament has consented to the proposed appointee.”

Member’s explanatory statement

This amendment would require the appointment of the Investigatory Powers Commissioner to be agreed by the Intelligence and Security Committee of Parliament.

Mr Alistair Carmichael

2

Clause 198, page 154, line 10, leave out subsection (7)

ORDER OF THE HOUSE [15 MARCH 2016]

That the following provisions shall apply to the Investigatory Powers Bill:

Committal

1. The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 5 May 2016.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Proceedings on Consideration and up to and including Third Reading

4. Proceedings on Consideration and up to and including Third Reading shall be taken in two days in accordance with the following provisions of this Order.
5. Proceedings on Consideration and any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the second day.
6. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on the second day.
7. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and up to and including Third Reading.

Investigatory Powers Bill, *continued**Other proceedings*

8. Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.
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