
Report Stage: Wednesday 20 March 2024

Investigatory Powers (Amendment) Bill [HL], As Amended

(Amendment Paper)

This document lists all amendments tabled to the Investigatory Powers (Amendment) Bill [HL]. Any withdrawn amendments are listed at the end of the document. The amendments are arranged in the order in which it is expected they will be decided.

★ New amendments.

New Amendments: 1 to 6

Secretary James Cleverly

Gov 3

★ Clause 14, page 35, line 5, after “exercise” insert “by a specified public authority”

Member's explanatory statement

This amendment and Amendments 4, 5 and 6 restrict the class of public authorities whose powers to secure disclosures of communications data are affected by this Clause.

Secretary James Cleverly

Gov 4

★ Clause 14, page 35, line 17, at end insert—

“(5A) After subsection (5) insert—

“(5A) In this section “specified public authority” means a public authority which is—

- (a) listed in Schedule 2A, or
- (b) listed in column 1 of the table in Schedule 4.

(5B) The Secretary of State or the Treasury may by regulations modify Schedule 2A by—

- (a) adding a public authority to, or
- (b) removing a public authority from, the list in that Schedule.””

Member's explanatory statement

See the explanatory statement for Amendment 3.

Secretary James Cleverly

Gov 5

★ Clause 14, page 35, line 35, at end insert—

“(6A) In section 267 of the Investigatory Powers Act 2016 (regulations), in subsection (5), after paragraph (a) insert—

“(aa) regulations under section 12(5B),”.

Member's explanatory statement

See the explanatory statement for Amendment 3.

Secretary James Cleverly

Gov 6

★ Clause 14, page 35, line 35, at end insert—

“(6B) In the Investigatory Powers Act 2016, after Schedule 2 insert—

“SCHEDULE 2A

Section 12(5A)

SPECIFIED PUBLIC AUTHORITIES FOR THE PURPOSES OF SECTION 12

- 1 The Treasury.
- 2 A local authority.

In this Schedule “local authority” has the same meaning as in Part 3 (see section 86).”

Member's explanatory statement

See the explanatory statement for Amendment 3.

Mr Kevan Jones

1

★ Clause 22, page 48, line 13, at beginning insert “is required in their routine duties to issue warrants under section 19 or section 102 or”

Member's explanatory statement

This amendment would permit the Prime Minister to nominate a Secretary of State to act for the Prime Minister under this section if they are required in their routine duties to issue warrants under section 19 or section 102 of the Investigatory Powers Act 2016 as an alternative to having the necessary operational experience.

Mr Kevan Jones

2

★ Clause 22, page 48, line 14, at end insert—

“(2DA) The Prime Minister must be notified of the individual’s decision as soon as it is reasonably practicable to do so.”

Member's explanatory statement

This amendment would require the Prime Minister to be notified of the decision of the designated Secretary of State as soon as is reasonably practicable.

Order of the House

[19 February 2024]

That the following provisions shall apply to the Investigatory Powers (Amendment) Bill [Lords]:

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 Tuesday 12 March 2024.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Consideration and Third Reading

4. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

Other proceedings

7. Any other proceedings on the Bill may be programmed.