

Investigatory Powers Bill

AMENDMENTS
TO BE MOVED
ON REPORT

[Supplementary to the Revised Marshalled List]

Clause 64

LORD PADDICK
BARONESS HAMWEE

Leave out Clause 64

Clause 65

LORD PADDICK
BARONESS HAMWEE

Leave out Clause 65

Clause 66

LORD PADDICK
BARONESS HAMWEE

Leave out Clause 66

Clause 84

LORD PADDICK
BARONESS HAMWEE

Page 66, line 9, at end insert –

“() A requirement shall not be considered necessary in the absence of a reasonable suspicion that a serious criminal offence has been, or is likely to be, committed.”

Page 66, line 18, at end insert –

“() A retention notice may not require a telecommunications operator to retain or disclose third party data unless the operator retains it for its own business purposes.

Clause 84 - continued

- () In this section “third party data” means communications data processed by the operator for the purposes of routing communications within an electronic communications network.”

Page 67, line 26, leave out “therefore includes, in particular,” and insert “does not include”

Clause 205

LORD PADDICK
BARONESS HAMWEE

Page 161, line 11, at end insert –

- “() There shall be a body corporate known as the Investigatory Powers Commission comprising –
- (a) the Investigatory Powers Commissioner;
 - (b) Judicial Commissioners; and
 - (c) staff to support the Commissioners.”

Clause 207

LORD PADDICK
BARONESS HAMWEE

Page 164, line 26, at end insert –

- “() The Investigatory Powers Commissioner may publish material expressing views as to or recording legal interpretations of the provisions of this Act.”

After Clause 208

LORD PADDICK
BARONESS HAMWEE

Insert the following new Clause –

“Notification by the Investigatory Powers Commissioner

- (1) The Investigatory Powers Commissioner shall notify the subject of a warrant (“P”) which is –
- (a) a targeted interception warrant issued under Part 2,
 - (b) a targeted examination warrant issued under Part 2,
 - (c) a targeted equipment interference warrant issued under Part 5, or
 - (d) a targeted examination warrant issued under Part 5,
- that P has been so subject, in accordance with this section.
- (2) Notification shall not be given if –
- (a) P is suspected of being involved in terrorism-related or other criminal activity,
 - (b) it might prejudice any continuing or anticipated investigation concerning P or any other person, or

After Clause 208 - continued

- (c) the Investigatory Powers Commissioner determines that it is in the interests of national security or the public interest in preventing or detecting serious crime that it is not given;

and in any event notification may be given only if the investigation to which the warrant relates has concluded and there is no suspicion that P is engaged in any unlawful activity.

- (3) The notification—
- (a) shall inform P of the provisions for the authorisation or warrant, but
 - (b) shall include no details of the methods used or any other matter which might hinder any future investigation into P or any other person, and
 - (c) shall be given in writing within 90 days after—
 - (i) the conclusion of the investigation (subject to subsection (2));
 - (ii) cancellation of the authorisation or warrant;
 - (iii) a determination that it may be given having regard to the matters referred to in subsection (2)(c).”

Clause 209

LORD PADDICK
BARONESS HAMWEE

Page 165, line 42, leave out “the Commissioner considers that”

Page 165, line 45, leave out paragraph (b)

Page 166, line 3, leave out “significant” and insert “or may cause”

Page 166, line 43, leave out paragraph (b)

Page 166, line 46, at end insert “and include recommendations in reports made under section 212”

After Clause 223

LORD PADDICK
BARONESS HAMWEE
[As an amendment to Amendment 178]

In subsection (1), after paragraph (a) insert—

- “() the impact of changing technology on the interpretation of the law and any amendments to legislation required to ensure the application of the provisions of this Act to changing technologies,”

Clause 147

LORD PADDICK
BARONESS HAMWEE

Page 118, line 48, at end insert –

“() A bulk acquisition warrant may not require data which relates to or includes internet connection records.”

Clause 163

LORD PADDICK
BARONESS HAMWEE

Leave out Clause 163

Clause 164

LORD PADDICK
BARONESS HAMWEE

Leave out Clause 164

Clause 165

LORD PADDICK
BARONESS HAMWEE

Leave out Clause 165

Clause 166

LORD PADDICK
BARONESS HAMWEE

Leave out Clause 166

Clause 167

LORD PADDICK
BARONESS HAMWEE

Leave out Clause 167

Clause 168

LORD PADDICK
BARONESS HAMWEE

Leave out Clause 168

Clause 169

LORD PADDICK
BARONESS HAMWEE

Leave out Clause 169

Clause 170

LORD PADDICK
BARONESS HAMWEE

Leave out Clause 170

Clause 171

LORD PADDICK
BARONESS HAMWEE

Leave out Clause 171

Clause 172

LORD PADDICK
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Leave out Clause 172

Clause 173

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Leave out Clause 173

Clause 174

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Clause 175

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Leave out Clause 175

Clause 176

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Leave out Clause 176

Clause 177

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Clause 180

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Leave out Clause 180

Clause 181

LORD PADDICK
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Leave out Clause 181

Clause 182

LORD PADDICK
BARONESS HAMWEE

Leave out Clause 182

Clause 236

LORD PADDICK
BARONESS HAMWEE

Page 186, line 24, after “period,” insert “and thereafter at least once during each Parliament,”

Page 186, line 25, leave out “5” and insert “2”

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12 October 2016
