



Public Bill Committee Chairs
House of Commons

14 April 2016

INVESTIGATORY POWERS BILL: GOVERNMENT AMENDMENTS

I have tabled substantive Government amendments to the Investigatory Powers Bill dealing with two issues, and I intend shortly to table amendments dealing with three further issues. These will be considered in the usual way with the relevant clauses as they are taken in Committee.

Additional minor drafting amendments were tabled on 7 April, in order that they could be considered in Committee on 12 April. I will table some further minor drafting amendments today in relation to Part 5 of the Bill.

All of these changes are either minor drafting amendments or are intended to strengthen the safeguards in the Bill.

The amendments already tabled for consideration in Committee today are:

- Amendments to the communications data powers for the ambulance service in Schedule 4. This includes updating the definition of an ambulance trust (in line with the Policing and Crime Bill) and removing their power to acquire communications data for the purpose of preventing or detecting crime or preventing disorder.
- An amendment to remove the power of the Northern Ireland Fire and Rescue service to acquire communications data for the purpose of preventing or detecting crime or of preventing disorder and in the interests of public safety.

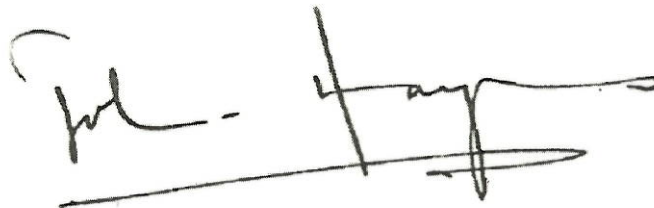
The substantive amendments I am shortly to table comprise:

- Amendments to Clauses 128, 144, 164 and 186 to make explicit that when a Secretary of State is physically unavailable to sign the warrant and a senior official authorises a modification to a bulk warrant, after the Secretary of State has personally authorised the modification, this modification must not come into effect until the Judicial Commissioner has approved it. These

amendments provide additional safeguards and clarify the procedure for a senior official to physically sign a warrant when the Secretary of State has already personally authorised it but is not physically available.

- Amendments to Clauses 176 and 181 t which relate to when the Judicial Commissioner directs the disposal or retention of material obtained under an urgent bulk personal dataset warrant where the Commissioner has not approved the issue of the urgent warrant. The amendments clarify that there is no breach of bulk personal dataset safeguards by the agencies if they retain or examine material in these circumstances if it has been approved by the Judicial Commissioner.
- Amendments to Clause 192 to make clear that the Secretary of State cannot vary a direction given under this clause in relation to bulk personal datasets without the approval of a Judicial Commissioner. They also make clear that the offence of unauthorised disclosure of an interception warrant or intercepted material must continue to apply to a bulk personal dataset obtained under an interception warrant but retained as a result of a direction given under Clause 192 which would apply the Part 7 regime. These amendments serve to strengthen the bulk personal dataset safeguards in the Bill.

I am copying this letter to all members of the Public Bill Committee, the Clerks of the Committee and to the Scrutiny Unit

A handwritten signature in black ink, appearing to read 'John Hayes', with a long horizontal line underneath.

RT HON JOHN HAYES MP