STATUTORY INSTRUMENTS

2016 No. 38

INVESTIGATORY POWERS

The Equipment Interference (Code of Practice) Order 2016

Made - - - - 14th January 2016

Coming into force in accordance with article 1

This Order is made in exercise of the power conferred on the Secretary of State by section 71(5) of the Regulation of Investigatory Powers Act 2000(**1**) ("the Act").

The Secretary of State has:

(1) in accordance with section 71(3) of the Act, prepared and published a draft Code of Practice relating to the exercise and performance of the powers and duties that are conferred or imposed otherwise than on the Surveillance Commissioners or the relevant judicial authority by or under section 5 of the Intelligence Services Act 1994 and has considered representations made to her about it;

(2) in accordance with section 71(4) of the Act, laid before both Houses of Parliament a draft of that Code of Practice.

A draft of this Order has been laid before, and approved by resolution of, each House of Parliament in accordance with section 71(9) of the Act.

The Secretary of State makes the following Order—

1. This Order may be cited as the Equipment Interference (Code of Practice) Order 2016 and comes into force on the day after the day on which it is made.

2. The Code of Practice entitled "Equipment Interference", laid before Parliament in draft on 4th November 2015, relating to the authorisation of interference with property under section 5 of the Intelligence Services Act 1994, comes into force on the day after the day on which this Order is made.

John Hayes
Minister of State
Home Office

14th January 2016

(**1**) 2000 c. 23; section 71 was amended by the Serious Crime Act 2007 (c. 27), section 88, Schedule 4, paragraph 18 and Schedule 12, paragraphs 5 and 25; the Protection of Freedoms Act 2012 (c. 9), section 115(1) and Schedule 9, Part 3, paragraphs 6 and 14; the Serious Crime Act 2015 (c. 3), section 83; and by S.I. 2011/1340 and 2014/2042.