

## Investigatory Powers Act 2016

### Investigatory Powers Commissioner (Additional Directed Oversight Functions) (Consolidated Guidance) Direction 2017

The Prime Minister, in exercise of the power conferred by section 230 of the Investigatory Powers Act 2016 ("the Act"), directs the Investigatory Powers Commissioner as follows:

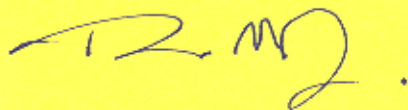
#### Citation and Commencement

1. This Direction may be cited as the Investigatory Powers Commissioner (Additional Directed Oversight Functions) (Consolidated Guidance) Direction 2017.
2. This Direction comes into force on 1<sup>st</sup> September 2017.

#### Additional review functions

3. The Investigatory Powers Commissioner must keep under review the compliance of persons falling within paragraph 4 with the guidance referred to in paragraph 5 in relation to the circumstances set out in paragraph 6.
4. The persons are :
  - a. officers of the Security Service, the Secret Intelligence Service and the Government Communications Headquarters;
  - b. members of the Armed Forces of the United Kingdom, and
  - c. employees of the Ministry of Defence, so far as engaging in intelligence activities.
5. The guidance is the Consolidated Guidance to Intelligence Officers and Service Personnel on the Detention and Interviewing of Detainees Overseas, and on the Passing and Receipt of Intelligence Relating to Detainees which was published on 6 July 2010 as amended from time to time.
6. The circumstances are those in which one or more persons falling within paragraph 4:
  - a. interview a detainee who is in the custody of a third party;
  - b. request a third party to seek information from a detainee in the custody of that party;
  - c. pass information to a security or intelligence service of a third party in relation to a detainee held by that party;
  - d. receive unsolicited information from a third party which relates to a detainee;
  - e. solicit the detention of an individual by a third party.

Signed:



Date:

22/8/17.