



Telecommunications Act 1984

1984 CHAPTER 12

PART VII

MISCELLANEOUS AND SUPPLEMENTAL

Miscellaneous

94 Directions in the interests of national security etc.

[^{F1}(1) The Secretary of State may, after consultation with a person to whom this section applies, give to that person such directions of a general character as appear to the Secretary of State to be [^{F2}necessary] in the interests of national security or relations with the government of a country or territory outside the United Kingdom.

(2) If it appears to the Secretary of State to be [^{F3}necessary] to do so in the interests of national security or relations with the government of a country or territory outside the United Kingdom, he may, after consultation with a person to whom this section applies, give to that person a direction requiring him (according to the circumstances of the case) to do, or not to do, a particular thing specified in the direction.

[^{F4}(2A) The Secretary of State shall not give a direction under subsection (1) or (2) unless he believes that the conduct required by the direction is proportionate to what is sought to be achieved by that conduct.]

(3) A person to whom this section applies shall give effect to any direction given to him by the Secretary of State under this section notwithstanding any other duty imposed on him by or under [^{F5}Part 1 or Chapter 1 of Part 2 of the Communications Act 2003 and, in the case of a direction to a provider of a public electronic communications network, notwithstanding that it relates to him in a capacity other than as the provider of such a network].

(4) The Secretary of State shall lay before each House of Parliament a copy of every direction given under this section unless he is of opinion that disclosure of the direction is against the interests of national security or relations with the government of a

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Changes to legislation: There are currently no known outstanding effects for the Telecommunications Act 1984, Section 94. (See end of Document for details)

country or territory outside the United Kingdom, or the commercial interests of any person.

- (5) A person shall not disclose, or be required by virtue of any enactment or otherwise to disclose, anything done by virtue of this section if the Secretary of State has notified him that the Secretary of State is of the opinion that disclosure of that thing is against the interests of national security or relations with the government of a country or territory outside the United Kingdom, or the commercial interests of some other person.
- (6) The Secretary of State may, with the approval of the Treasury, make grants to [^{F6}providers of public electronic communications networks] for the purpose of defraying or contributing towards any losses they may sustain by reason of compliance with the directions given under this section.
- (7) There shall be paid out of money provided by Parliament any sums required by the Secretary of State for making grants under this section.
- (8) This section applies to [^{F7}OFCOM and to providers of public electronic communications networks.]]

Textual Amendments

- F1** S. 94 omitted (12.3.2018 for specified purposes) by virtue of [Investigatory Powers Act 2016 \(c. 25\)](#), s. 272(1), [Sch. 10 para. 99](#) (with [Sch. 9 paras. 7, 8, 10](#)); [S.I. 2018/341](#), [reg. 2\(p\)](#) (with [reg. 4](#))
- F2** Words in s. 94(1) substituted (25.7.2003 for specified purposes and 18.9.2003 otherwise) by [Communications Act 2003](#), (c. 21), ss. 406, 408, 411, {[Sch. 17 para. 70\(2\)](#)} (with [Sch. 18](#)); [S.I. 2003/1900](#), [arts. 1\(2\), 2, 3\(1\)](#), [Sch. 1](#), [Sch. 2](#) (with [art. 3\(2\)](#) (as amended (8.12.2003) by [S.I. 2003/3142](#), [art. 1\(3\)](#)))
- F3** Words in s. 94(2) substituted (25.7.2003 for specified purposes and 18.9.2003 otherwise) by [Communications Act 2003](#), (c. 21), ss. 406, 408, 411, {[Sch. 17 para. 70\(3\)](#)} (with [Sch. 18](#)); [S.I. 2003/1900](#), [arts. 1\(2\), 2, 3\(1\)](#), [Sch. 1](#), [Sch. 2](#) (with [art. 3\(2\)](#) (as amended (8.12.2003) by [S.I. 2003/3142](#), [art. 1\(3\)](#)))
- F4** S. 94(2A) inserted (25.7.2003 for specified purposes and 18.9.2003 otherwise) by [Communications Act 2003](#), (c. 21), ss. 406, 408, 411, {[Sch. 17 para. 70\(4\)](#)} (with [Sch. 18](#)); [S.I. 2003/1900](#), [arts. 1\(2\), 2, 3\(1\)](#), [Sch. 1](#), [Sch. 2](#) (with [art. 3\(2\)](#) (as amended (8.12.2003) by [S.I. 2003/3142](#), [art. 1\(3\)](#)))
- F5** Words in s. 94(3) substituted (25.7.2003 for specified purposes and 18.9.2003 otherwise) by [Communications Act 2003](#), (c. 21), ss. 406, 408, 411, {[Sch. 17 para. 70\(5\)](#)} (with [Sch. 18](#)); [S.I. 2003/1900](#), [arts. 1\(2\), 2, 3\(1\)](#), [Sch. 1](#), [Sch. 2](#) (with [art. 3\(2\)](#) (as amended (8.12.2003) by [S.I. 2003/3142](#), [art. 1\(3\)](#)))
- F6** Words in s. 94(6) substituted (25.7.2003 for specified purposes and 18.9.2003 otherwise) by [Communications Act 2003](#), (c. 21), ss. 406, 408, 411, {[Sch. 17 para. 70\(6\)](#)} (with [Sch. 18](#)); [S.I. 2003/1900](#), [arts. 1\(2\), 2, 3\(1\)](#), [Sch. 1](#), [Sch. 2](#) (with [art. 3\(2\)](#) (as amended (8.12.2003) by [S.I. 2003/3142](#), [art. 1\(3\)](#)))
- F7** Words in s. 94(8) substituted (25.7.2003 for specified purposes and 18.9.2003 otherwise) by [Communications Act 2003](#), (c. 21), ss. 406, 408, 411, {[Sch. 17 para. 70\(7\)](#)} (with [Sch. 18](#)); [S.I. 2003/1900](#), [arts. 1\(2\), 2, 3\(1\)](#), [Sch. 1](#), [Sch. 2](#) (with [art. 3\(2\)](#) (as amended (8.12.2003) by [S.I. 2003/3142](#), [art. 1\(3\)](#)))

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Changes to legislation:

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