



# Regulation of Investigatory Powers Act 2000

## 2000 CHAPTER 23

### PART I

#### COMMUNICATIONS

#### CHAPTER II

##### ACQUISITION AND DISCLOSURE OF COMMUNICATIONS DATA

### 25 Interpretation of Chapter II.

(1) In this Chapter—

“communications data” has the meaning given by section 21(4);

“designated” shall be construed in accordance with subsection (2);

“postal or telecommunications operator” means a person who provides a postal service or telecommunications service;

“relevant public authority” means (subject to subsection (4)) any of the following—

(a) a police force;

(b) [<sup>F1</sup>the Serious Organised Crime Agency;]

(c) [<sup>F2</sup>the Scottish Crime and Drug Enforcement Agency;]

(d) [<sup>F3</sup>Her Majesty's Revenue and Customs;]

(e) any of the intelligence services;

(f) any such public authority not falling within paragraphs (a) to (f) as may be specified for the purposes of this subsection by an order made by the Secretary of State.

(2) Subject to subsection (3), the persons designated for the purposes of this Chapter are the individuals holding such offices, ranks or positions with relevant public authorities

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as are prescribed for the purposes of this subsection by an order made by the Secretary of State.

- (3) The Secretary of State may by order impose restrictions—
- (a) on the authorisations and notices under this Chapter that may be granted or given by any individual holding an office, rank or position with a specified public authority; and
  - (b) on the circumstances in which, or the purposes for which, such authorisations may be granted or notices given by any such individual.

[<sup>F4</sup>(3A) References in this Chapter to an individual holding an office or position with the Serious Organised Crime Agency include references to any member of the staff of that Agency.]

- [<sup>F5</sup>(4) The Secretary of State may by order—
- (a) remove any person from the list of persons who are for the time being relevant public authorities for the purposes of this Chapter; and
  - (b) make such consequential amendments, repeals or revocations in this or any other enactment as appear to him to be necessary or expedient.

- (5) The Secretary of State shall not make an order under this section—
- (a) that adds any person to the list of persons who are for the time being relevant public authorities for the purposes of this Chapter, or
  - (b) that by virtue of subsection (4)(b) amends or repeals any provision of an Act, unless a draft of the order has been laid before Parliament and approved by a resolution of each House.]

#### **Annotations:**

##### **Amendments (Textual)**

- F1** S. 25(1): para. (c) in the definition of "relevant public authority" substituted (1.4.2006) for paras. (c) (d) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 59, 178, [Sch. 4 para. 135\(2\)](#); S.I. 2006/378, [art. 4\(1\)](#), Sch. para. 10 (subject to [art. 4\(2\)-\(7\)](#))
- F2** S. 25(1): para (ba) in the definition of "relevant public authority" inserted (1.4.2007) by [The Police, Public Order and Criminal Justice \(Scotland\) Act 2006 \(Consequential Provisions and Modifications\) Order 2007 \(S.I. 2007/1098\)](#), arts. 1(3), 6, [Sch. para. 4\(5\)](#)
- F3** S. 25(1): paras. (d), (e), in the definition of "relevant public authority" substituted (15.2.2008) for para. (d) by [Serious Crime Act 2007 \(c. 27\)](#), ss. 88, 94 {Sch. 12 para. 8}; S.I. 2008/219, [art. 2\(b\)](#)
- F4** S. 25(3A) inserted (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 59, 178, [Sch. 4 para. 135\(3\)](#); S.I. 2006/378, [art. 4\(1\)](#), Sch. para. 10 (subject to [art. 4\(2\)-\(7\)](#))
- F5** S. 25(4)(5) substituted (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 59, 178, [Sch. 4 para. 135\(4\)](#); S.I. 2006/378, [art. 4\(1\)](#), Sch. para. 10 (subject to [art. 4\(2\)-\(7\)](#))

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act, associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. A1 inserted by [S.I. 2011/1340 reg. 2\(4\) Sch.](#)

**Commencement Orders yet to be applied to the Regulation of Investigatory Powers Act 2000:**

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2007/2196 art. 2](#) commences (2000 c. 23)

Commencement Orders bringing legislation that affects this Act into force:

- [S.I. 2007/935 art. 2-7](#) commences (2006 c. 40)
- [S.I. 2007/1442 art. 2](#) commences (2006 c. 52)
- [S.I. 2007/2045 art. 2](#) commences (2007 c. 6)
- [S.I. 2009/1059](#) Order transitional provisions for effects of commencing [SI 2009/812](#)
- [S.I. 2010/1621 art. 1 2](#) commences ([S.I. 2010/231](#))
- [S.I. 2010/2703 art. 2](#) commences (2010 c. 25)
- [S.I. 2011/2329 art. 2 3](#) commences (2011 c. 5)
- [S.S.I. 2007/84 art. 3](#) commences (2006 asp 10)