



Investigatory Powers Act 2016

2016 CHAPTER 25

PART 9

MISCELLANEOUS AND GENERAL PROVISIONS

CHAPTER 1

MISCELLANEOUS

Compliance with Act

249 Payments towards certain compliance costs

- (1) The Secretary of State must ensure that arrangements are in force for securing that telecommunications operators and postal operators receive an appropriate contribution in respect of such of their relevant costs as the Secretary of State considers appropriate.
- (2) In subsection (1) “relevant costs” means costs incurred, or likely to be incurred, by telecommunications operators and postal operators in complying with this Act.
- (3) The arrangements may provide for payment of a contribution to be subject to terms and conditions determined by the Secretary of State.
- (4) Such terms and conditions may, in particular, include a condition on the operator concerned to comply with any audit that may reasonably be required to monitor the claim for costs.
- (5) The arrangements may provide for the Secretary of State to determine—
 - (a) the scope and extent of the arrangements, and
 - (b) the appropriate level of contribution which should be made in each case.
- (6) Different levels of contribution may apply for different cases or descriptions of case but the appropriate contribution must never be nil.

Status: This is the original version (as it was originally enacted).

- (7) A retention notice under Part 4 given to a telecommunications operator or a postal operator, or a national security notice under section 252 given to a telecommunications operator, must specify the level or levels of contribution which the Secretary of State has determined should be made in respect of the costs incurred, or likely to be incurred, by the operator as a result of the notice in complying with that Part or (as the case may be) with the national security notice.
- (8) For the purpose of complying with this section the Secretary of State may make, or arrange for the making of, payments out of money provided by Parliament.

250 Power to develop compliance systems etc.

- (1) The Secretary of State may—
 - (a) develop, provide, maintain or improve, or
 - (b) enter into financial or other arrangements with any person for the development, provision, maintenance or improvement of,
such apparatus, systems or other facilities or services as the Secretary of State considers appropriate for enabling or otherwise facilitating compliance by the Secretary of State, another public authority or any other person with this Act.
- (2) Arrangements falling within subsection (1)(b) may, in particular, include arrangements consisting of the giving of financial assistance by the Secretary of State.
- (3) Such financial assistance—
 - (a) may, in particular, be given by way of—
 - (i) grant,
 - (ii) loan,
 - (iii) guarantee or indemnity,
 - (iv) investment, or
 - (v) incurring expenditure for the benefit of the person assisted, and
 - (b) may be given subject to terms and conditions determined by the Secretary of State.
- (4) Terms and conditions imposed by virtue of subsection (3)(b) may include terms and conditions as to repayment with or without interest.