

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force much of the Regulation of Investigatory Powers Act 2000.

Part II, which regulates surveillance and the use of covert human intelligence sources, is brought into force on 25th September.

With the exception of subsection 1(3), Chapter I of Part I, which concerns the interception of communications and replaces the Interception of Communications Act 1985, is brought into force on 2nd October. This is also the commencement date for most of Part IV, which establishes judicial Commissioners to oversee the use of the powers conferred by the Act and a Tribunal to consider complaints and cases brought under section 7(1)(a) of the Human Rights Act 1988.

Section 1(3), which concerns interception by the controller of a private telecommunication system, is brought into force on 24th October. This is the date by which Article 5 of the Telecoms Data Protection Directive ([97/66/EC](#)) must be implemented.