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## STATUTORY INSTRUMENTS

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### 2018 No. 341

#### The Investigatory Powers Act 2016 (Commencement No. 4 and Transitional and Saving Provisions) Regulations 2018

##### Transitional provision regarding technical capability notices

- 6.—(1) Until section [F<sup>1</sup>18(1)] of the 2016 comes into force for all purposes—
- (a) section 253(3) of the 2016 Act has effect as if in the definition of “relevant authorisation”, before paragraph (a) there were inserted—
    - “(za) any warrant issued under Chapter 1 of Part 1 of the Regulation of Investigatory Powers Act 2000,”, and
  - (b) section 255(11) of the 2016 Act has effect as if before paragraph (a) there were inserted—
    - “(za) a warrant issued under Chapter 1 of Part 1 of the Regulation of Investigatory Powers Act 2000;”.
- (2) Until section [F<sup>2</sup>106(1)] of the 2016 Act comes into force for all purposes, section 253(3) of the 2016 Act has effect as if in the definition of “relevant authorisation”—
- (a) in paragraph (a) “or” were omitted, and
  - (b) after paragraph (a) there were inserted—
    - “(aa) any warrant issued under section 5 of the Intelligence Services Act 1994 <sup>M1</sup>, to extent that the warrant authorises conduct to which the prohibition in section 13(1) would apply were that section in force, or”.

**F1** Word in reg. 6(1) substituted (29.5.2018) by [The Investigatory Powers Act 2016 \(Commencement No. 5 and Transitional and Saving Provisions\) Regulations 2018 \(S.I. 2018/652\)](#), [reg. 27\(a\)](#)

**F2** Word in reg. 6(2) substituted (29.5.2018) by [The Investigatory Powers Act 2016 \(Commencement No. 5 and Transitional and Saving Provisions\) Regulations 2018 \(S.I. 2018/652\)](#), [reg. 27\(b\)](#)

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##### Marginal Citations

**M1** 1994 c. 13. Section 5 was amended by section 2 of the [Intelligence Services Act 1996 \(c. 35\)](#) and section 74(1) and (2) of the [Regulation of Investigatory Powers Act 2000](#).

**Changes to legislation:**

There are currently no known outstanding effects for the The Investigatory Powers Act 2016 (Commencement No. 4 and Transitional and Saving Provisions) Regulations 2018, Section 6.