
STATUTORY INSTRUMENTS

2018 No. 652

The Investigatory Powers Act 2016 (Commencement No. 5 and Transitional and Saving Provisions) Regulations 2018

PART 2

TRANSITIONAL AND SAVING PROVISIONS

CHAPTER 1

Transitional and saving provisions regarding interception

Transitional and saving provisions relating to wireless telegraphy

20.—(1) An interception authority which has effect immediately before 8th August 2018 continues to have effect until 27th December 2018 unless revoked earlier.

(2) For the purpose of any interception authority which continues to have effect in consequence of paragraph (1)—

- (a) section 48(1) of the Wireless Telegraphy Act 2006 (offence relating to interception and disclosure of messages)^{M1} has effect as if the amendment made by section 259(3) of the 2016 Act had not been made;
- (b) section 48(5) of the Wireless Telegraphy Act 2006 (definition of “designated person”)^{M2}, any regulations made under that section, and section 49 of that Act (interception authorities)^{M3} continue to have effect;
- (c) section 6 of the 2016 Act (definition of “lawful authority”) has effect as if in subsection (1) after paragraph (c) there were inserted—
 - “(d) in the case of interception of a communication in the course of its transmission by means of wireless telegraphy, if it takes place with the authority of a designated person under section 48 of the Wireless Telegraphy Act 2006 (interception and disclosure of messages).”.

(3) In this regulation “interception authority” has the same meaning as in section 49(11) of the Wireless Telegraphy Act 2006.

Marginal Citations

- M1** 2006 c. 36. Section 48(1) is amended by section 259(2) of the Investigatory Powers Act 2016 (“the 2016 Act”); section 259 is brought into force by regulation 12(b) of these Regulations.
- M2** Section 48(5) is omitted by section 259(5) of the 2016 Act; section 259 is brought into force by regulation 12 of these Regulations.
- M3** Section 49 is omitted by section 259(6) of the 2016 Act; section 259 is brought into force by regulation 12 of these Regulations.

Changes to legislation:

There are currently no known outstanding effects for the The Investigatory Powers Act 2016 (Commencement No. 5 and Transitional and Saving Provisions) Regulations 2018, Section 20.