
STATUTORY INSTRUMENTS

2019 No. 174

**The Investigatory Powers Act 2016
(Commencement No. 11) Regulations 2019**

Provisions coming into force on 5th February 2019

2. The following provisions of the 2016 Act come into force on 5th February 2019—
- (a) section 2 (general duties in relation to privacy), so far as not already in force;
 - (b) section 11 (offence of unlawfully obtaining communications data);
 - (c) section 61(1) (power of designated senior officers to grant authorisations), so far as not already in force;
 - (d) sections 62 to 86(2) (authorisations for obtaining communications data);
 - (e) section 229(3) (main oversight functions of the Investigatory Powers Commissioner and Judicial Commissioners), so far as not already in force;
 - (f) section 231 (error reporting), to the extent it applies to an error relating to Part 3 of the 2016 Act;
 - (g) section 243(1)(c) (functions of Tribunal in relation to this Act, etc), so far as it inserts—
 - (i) paragraph (cza), so far as not already in force, and
 - (ii) paragraph (czl)(i) and (ii), so far as not already in force;
 - (h) section 243(1)(h), for the purpose of inserting subsection (7ZB) of section 65 of the 2000 Act in so far as that subsection applies to conduct which is, or purports to be, conduct falling within—
 - (i) subsection (5)(cza), and
 - (ii) subsection (5)(czl)(i) and (ii);
 - (i) section 243(1)(i), so far as not already in force;
 - (j) in section 243(2)—
 - (i) paragraph (a), so far as not already in force;
 - (ii) paragraph (b), in so far as it repeals the reference to section 23A of the 2000 Act, and
 - (iii) paragraph (c);
 - (k) section 270(1) (transitional, transitory or saving provision) so far as not already in force;
 - (l) section 271(1) for the purpose of paragraph (p);
 - (m) Schedule 4(4) (relevant public authorities and designated senior officers, etc.);
 - (n) Schedule 5 (transfer and agency arrangements with public authorities: further provisions);

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- (1) Section 61 was amended by [S.I. 2018/1123](#). On the commencement of section 61(1), the insertion of sections 60A and 61A by regulations 5 and 7 of [S.I. 2018/1123](#) comes into force by virtue of regulation 1(4) of those Regulations.
- (2) Sections 62 to 86 (with the exception of sections 66, 79, 82 and 85) were amended by [S.I. 2018/1123](#). In particular, section 75 was omitted by that Instrument.
- (3) Section 229 was amended by [S.I. 2018/1123](#).
- (4) Schedule 4 is amended by paragraph 74 of Schedule 9 to the Policing and Crime Act [2017 \(c. 3\)](#) and [S.I. 2018/1123](#).

- (o) paragraph 2 of Schedule 9;
- (p) the following provisions of Schedule 10 (minor and consequential provision)—
 - (i) paragraph 6(1) and (2);
 - (ii) paragraph 53;
 - (iii) paragraph 55, in so far as the protected information referred to in section 49 of the 2000 Act came into the possession of the person referred to in that section by means of the exercise of any power conferred by an authorisation under Part 3 of the 2016 Act, or in pursuance of an authorisation under Part 3 of the 2016 Act or as the result of the issue of a warrant under Chapter 2 of Part 6 of the 2016 Act;
 - (iv) paragraph 61, and
 - (v) paragraph 101(3).