
CHAPTER 25

INVESTIGATORY POWERS ACT 2016

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Environmental Protection Act 1990
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Social Security Administration Act 1992
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6 In section 109C of the Social Security Administration Act 1992...

Social Security Administration (Northern Ireland) Act 1992
7 In section 103B of the Social Security Administration (Northern Ireland)...
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Financial Services and Markets Act 2000
9 In section 175 of the Financial Services and Markets Act...

Finance Act 2008
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10 (1) Section 56(1) does not apply in relation to—
11 Section 56(1) does not apply in relation to any proceedings—...
12 But neither paragraph 10 nor paragraph 11 permits the disclosure...

Proceedings relating to release of prisoners etc. in Northern Ireland

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15 But paragraph 14 does not permit the disclosure of anything...

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16 Section 56(1) does not prohibit anything done in, for the...

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17 (1) Section 56(1) does not apply in relation to any...
18 But paragraph 17 does not permit the disclosure of anything...

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18 A combined warrant must contain a provision stating which warrants...
19 Any reference in any enactment to a warrant or other...

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20 (1) The law about the following matters, so far as...
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21 (1) A combined warrant under Part 1 of this Schedule...
22 (1) A combined warrant under Part 2 of this Schedule...
23 (1) A combined warrant under Part 3 of this Schedule...
24 (1) In consequence of paragraphs 21 and 22, the following...
25 In consequence of paragraphs 21 and 22, the following provisions...
26 In consequence of paragraphs 21 and 22, the following provisions...

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28 (1) This paragraph applies where under section 24(3) a Judicial...
29 Where under section 109(3) a Judicial Commissioner refuses to approve...
30 (1) This paragraph applies to any provision in Part 2...
31 Any reference in section 56 (exclusion of matters from legal...
32 (1) The reference in section 58(7) to the provisions of...

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5 (1) The repeal of section 1(7) of the Data Retention...

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6 (1) The definitions of— (a) “serious crime” in section 86(2A),...

Savings for particular purposes

7 Nothing in this Act affects any power conferred on a...
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9 The amendments made to the Regulation of Investigatory Powers Act...

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1 In section 93(1A) of the Police Act 1997 (authorisations to...

Northern Ireland Act 1998

2 In paragraph 9(1) of Schedule 3 to the Northern Ireland...


3 The Regulation of Investigatory Powers Act 2000 is amended as...
4 In section 27(4)(a) (lawful surveillance etc: conduct to be dealt...
5 (1) Section 71 (issue and revision of codes of practice)...
6 (1) Section 81(1) (general definitions) is amended as follows.

Political Parties, Elections and Referendums Act 2000

7 In paragraph 28(4) of Schedule 19C to the Political Parties,...

Public Finance and Accountability (Scotland) Act 2000 (2000 asp 1)

8 (1) The Public Finance and Accountability (Scotland) Act 2000 is...

Social Security Fraud Act 2001

9 In section 4(1)(b) of the Social Security Fraud Act 2001...

Social Security Fraud Act (Northern Ireland) 2001

10 In section 4(1)(b) of the Social Security Fraud Act (Northern...

Justice (Northern Ireland) Act 2002

11 In section 5A(3)(b) of the Justice (Northern Ireland) Act 2002...

Proceeds of Crime Act 2002

12 (1) The Proceeds of Crime Act 2002 is amended as...

Police Reform Act 2002

13 In paragraph 19ZA(2)(c) of Schedule 3 to the Police Reform...


14 After regulation 5A(8) of the Privacy and Electronic Communications
(EC...

Audit and Accountability (Northern Ireland) Order 2003 (S.I. 2003/418 (N.I. 5))

15 In Article 4C(3)(b) of the Audit and Accountability (Northern Ireland)...

Public Audit (Wales) Act 2004

16 In section 64C(3)(b) of the Public Audit (Wales) Act 2004...
Investigatory Powers Act 2016 (c. 25)

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Investigatory Powers Act 2016. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Constitutional Reform Act 2005
17 In section 107(3)(b) of the Constitutional Reform Act 2005 (disclosure...)

Commissioners for Revenue and Customs Act 2005
18 In section 22(b) of the Commissioners for Revenue and Customs...

Serious Crime Act 2007
19 (1) The Serious Crime Act 2007 is amended as follows....

Legal Services Act 2007
20 In section 169(3)(b) of the Legal Services Act 2007 (disclosure...)

Regulatory Enforcement and Sanctions Act 2008
21 In section 70(4) of the Regulatory Enforcement and Sanctions Act...

Counter-Terrorism Act 2008
22 In section 20(2)(b) of the Counter-Terrorism Act 2008 (disclosure and...)

Borders, Citizenship and Immigration Act 2009
23 In section 19(1)(b) of the Borders, Citizenship and Immigration Act...

Marine and Coastal Access Act 2009
24 (1) The Marine and Coastal Access Act 2009 is amended...

Terrorist Asset-Freezing etc. Act 2010
25 In section 25(2)(b) of the Terrorist Asset-Freezing etc. Act 2010...

Marine (Scotland) Act 2010 (2010 asp 5)
26 In paragraph 12(5) of Schedule 2 to the Marine (Scotland)...

Charities Act 2011
27 In section 59(b) of the Charities Act 2011 (disclosure: supplementary)... 

Prisons (Interference with Wireless Telegraphy) Act 2012
28 In section 4(6) of the Prisons (Interference with Wireless Telegraphy)...

Crime and Courts Act 2013
29 In paragraph 1(b) of Schedule 7 to the Crime and...

Marine Act (Northern Ireland) 2013 (c. 10 (N.I.))
30 In paragraph 8(5) of Schedule 2 to the Marine Act...

Local Audit and Accountability Act 2014
31 In paragraph 3(3)(b) of Schedule 9 to the Local Audit...
Anti-social Behaviour, Crime and Policing Act 2014
32 In paragraph 7(4)(b) of Schedule 4 to the Anti-social Behaviour,...

Immigration Act 2014
33 In paragraph 6(b) of Schedule 6 to the Immigration Act...

Data Retention and Investigatory Powers Act 2014
34 Omit sections 4(1), 7 and 8 of the Data Retention...

Immigration Act 2016
35 In section 7(2)(b) of the Immigration Act 2016 (information gateways:... Part 2 — LAWFUL INTERCEPTION OF COMMUNICATIONS

Security Service Act 1989
36 In section 1(5) of the Security Service Act 1989 (meaning...

Official Secrets Act 1989
37 In section 4(3) of the Official Secrets Act 1989 (crime...

Intelligence Services Act 1994
38 In section 11(1A) of the Intelligence Services Act 1994 (meaning...

Criminal Procedure and Investigations Act 1996
39 (1) The Criminal Procedure and Investigations Act 1996 is amended...

Police Act 1997
40 In section 133A of the Police Act 1997 (meaning of...

Scotland Act 1998
41 In Section B8 of Part 2 of Schedule 5 to...

Northern Ireland Act 1998
42 In paragraph 17 of Schedule 2 to the Northern Ireland...

Financial Services and Markets Act 2000
43 In section 394(7)(a) of the Financial Services and Markets Act...

44 The Regulation of Investigatory Powers Act 2000 is amended as...
45 Omit Chapter 1 of Part 1 (interception of communications).
46 (1) Section 49 (investigation of electronic data protected by encryption...
47 In section 71 (issue and revision of codes of practice)...  
48 In section 78(3)(a) (affirmative orders) omit “12(10), 13(3),”.
49 (1) Section 81 (general interpretation) is amended as follows.
50 In section 82 (amendments, repeals and savings etc.) omit subsections...
Criminal Justice and Licensing (Scotland) Act 2010 (2010 asp 13)

51 In section 159 of the Criminal Justice and Licensing (Scotland)...

Justice and Security Act 2013

52 In section 6(4)(b) of the Justice and Security Act 2013...

Part 3 — ACQUISITION OF COMMUNICATIONS DATA


53 The Regulation of Investigatory Powers Act 2000 is amended as...
54 Omit Chapter 2 of Part 1 (acquisition and disclosure of...
55 In section 49(1)(c) (investigation of electronic data protected by encryption...
56 In section 71(2) (issue and revision of codes of practice)...  
57 (1) Section 77A (procedure for order of sheriff under section...
58 (1) Section 77B (procedure for order of district judge under...
59 In section 78(3)(a) (affirmative orders) omit “22(9), 23A(6), 25(5),”.
60 In section 81(9) (general interpretation: certain references relating to Northern...

Police Reform Act 2002

61 (1) Paragraph 19ZA of Schedule 3 to the Police Reform...

Part 4 — RETENTION OF COMMUNICATIONS DATA

Anti-terrorism, Crime and Security Act 2001

62 Omit Part 11 of the Anti-terrorism, Crime and Security Act...

Data Retention and Investigatory Powers Act 2014

63 Omit sections 1 and 2 of the Data Retention and...

Part 5 — EQUIPMENT INTERFERENCE


64 The Regulation of Investigatory Powers Act 2000 is amended as...
65 In section 48 (interpretation of Part 2), in subsection (3)(c)—
66 (1) Paragraph 2 of Schedule 2 (persons having the appropriate...


67 The Regulation of Investigatory Powers (Scotland) Act 2000 is amended...
68 In section 5(3) (lawful surveillance etc.), after paragraph (a) (and...
69 In section 24(2) (issue and revision of codes of practice),...

Crime and Courts Act 2013

70 (1) In Schedule 1 to the Crime and Courts Act...

Part 6 — JUDICIAL COMMISSIONERS

Police Act 1997

71 The Police Act 1997 is amended as follows.
72 In section 103(8) (appeals) for “the period” substitute “ any...
73 In section 105(1)(b)(iii) (reports of appeals dismissed) omit “under section...”
74 In section 108(1) (interpretation of Part 3) after the definition...


75 The Regulation of Investigatory Powers Act 2000 is amended as...
76 In section 37(9)(a) (appeals against decisions of ordinary Surveillance Commissioners)...
77 In section 39(3) (appeals: reports of Chief Surveillance Commissioner) —

78 Omit section 40 (information to be provided to Surveillance Commissioners)....
79 In section 51(7)(b) (notification to Intelligence Services Commissioner or Chief)... 
80 (1) Section 64 (delegation of Commissioners' functions) is amended as...
81 In section 71(2) (issue and revision of codes of practice)... 
82 (1) Section 72 (effect of codes of practice) is amended...
83 (1) Section 81(1) (general definitions) is amended as follows.


84 The Regulation of Investigatory Powers (Scotland) Act 2000 is amended...
85 In the cross-heading before section 2 (Surveillance Commissioners) for “Surveillance”...
86 In section 2(10) (restrictions on appeals against Commissioners)—
87 In the heading of section 16 for “Surveillance Commissioners” substitute...
88 Omit section 18 (information to be provided to Surveillance Commissioners)....
89 In the cross-heading before section 21 (Chief Surveillance Commissioner) for...
90 Omit section 21 (functions of Chief Surveillance Commissioner).
91 (1) Section 22 (co-operation with, and reports by, Chief Surveillance... 
92 In section 24(2) (issue and revision of codes of practice)... 
93 In section 26(4) (effect of codes of practice)—
94 (1) Section 31(1) (interpretation) is amended as follows.

**Terrorism Prevention and Investigation Measures Act 2011**

95 In section 21(3)(b) of the Terrorism Prevention and Investigation Measures...

**Protection of Freedoms Act 2012**

96 The Protection of Freedoms Act 2012 is amended as follows....
97 (1) Section 29 (code of practice for surveillance camera systems)... 
98 In section 33(8)(d) (duty to consult before making an order) —

**Telecommunications Act 1984**

99 Omit section 94 of the Telecommunications Act 1984 (directions in...
Northern Ireland Act 1998

100 In paragraph 17 of Schedule 2 to the Northern Ireland...

Communications Act 2003

101 (1) The Communications Act 2003 is amended as follows.
    Part 8 — REPEALS AND REVOCATIONS CONSEQUENTIAL ON OTHER
             REPEALS OR AMENDMENTS IN THIS ACT
Changes to legislation:
There are outstanding changes not yet made by the legislation.gov.uk editorial team to Investigatory Powers Act 2016. Any changes that have already been made by the team appear in the content and are referenced with annotations.

View outstanding changes

Changes and effects yet to be applied to:
- s. 10(1)(a) and word omitted by S.I. 2019/742 reg. 82(2)(a)
- s. 10(3) words omitted by S.I. 2019/742 reg. 82(2)(b)
- s. 11(4)(a)(i) words substituted by 2020 c. 17 Sch. 24 para. 443(1)
- s. 15(4)(a) words omitted by S.I. 2019/742 reg. 82(3)(a)
- s. 15(4)(b) words omitted by S.I. 2019/742 reg. 82(3)(b)
- s. 18(1)(h) words omitted by S.I. 2019/742 reg. 82(4)
- s. 19(5) omitted by S.I. 2019/742 reg. 132(2)
- s. 20(3)(a) words omitted by S.I. 2019/742 reg. 82(5)
- s. 21(4)(b)(i) words omitted by S.I. 2019/742 reg. 82(6)
- s. 26(3)(e) repealed by S.I. 2018/1310 Sch. 1 Pt. 1 (This S.I. is amended by S.I. 2019/1389, reg. 2)
- s. 40(1)(a) words omitted by S.I. 2019/742 reg. 82(7)(a)
- s. 40(3)(a) words omitted by S.I. 2019/742 reg. 82(7)(b)
- s. 40(5)(a) words omitted by S.I. 2019/742 reg. 82(7)(b)
- s. 43(7)(a)(i) words substituted by 2020 c. 17 Sch. 24 para. 443(1)
- s. 59(2)(a)(i) words substituted by 2020 c. 17 Sch. 24 para. 443(1)
- s. 60(1) words omitted by S.I. 2019/742 reg. 82(8)
- s. 82(3)(a)(i) words substituted by 2020 c. 17 Sch. 24 para. 443(1)
- s. 102(9) omitted by S.I. 2019/742 reg. 132(3)
- s. 134(2)(a)(i) words substituted by 2020 c. 17 Sch. 24 para. 443(1)
- s. 155(2)(a)(i) words substituted by 2020 c. 17 Sch. 24 para. 443(1)
- s. 173(2)(a)(i) words substituted by 2020 c. 17 Sch. 24 para. 443(1)
- s. 174(3)(a)(i) words substituted by 2020 c. 17 Sch. 24 para. 443(1)
- s. 196(2)(a)(i) words substituted by 2020 c. 17 Sch. 24 para. 443(1)
- s. 202(4) words substituted by 2018 c. 12 Sch. 19 para. 201
- s. 202(4) words substituted by 2018 c. 12 Sch. 19 para. 201
- s. 224(4)(a)(i) words substituted by 2020 c. 17 Sch. 24 para. 443(1)
- s. 228 coming into force by S.I. 2017/137 reg. 2(c) (Effect not applied to legislation.gov.uk. Reg. 2(b)(c) omitted (10.2.2017) by virtue of S.I. 2017/143, reg. 2. S. 228 already in force by 2016 c. 25, s. 272(3))
- Sch. 3 para. 11 repealed by 2018 c. 13 Sch. 3 para. 9
- Sch. 3 para. 11 repealed by 2018 c. 13 Sch. 3 para. 9
- Sch. 3 para. 12 words substituted by 2018 c. 13 Sch. 3 para. 10
- Sch. 3 para. 12 words substituted by 2018 c. 13 Sch. 3 para. 10
- Sch. 10 para. 25 repealed by 2018 c. 13 Sch. 3 para. 9

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):
- s. 229(4A)-(4C) inserted by 2021 c. 4 s. 7(2)
- s. 234(2)(ba) inserted by 2021 c. 4 s. 7(3)