



Investigatory Powers Act 2016

2016 CHAPTER 25

PART 1

GENERAL PRIVACY PROTECTIONS

Prohibitions against unlawful interception

6 Definition of “lawful authority”

- (1) For the purposes of this Act, a person has lawful authority to carry out an interception if, and only if—
 - (a) the interception is carried out in accordance with—
 - (i) a targeted interception warrant or mutual assistance warrant under Chapter 1 of Part 2, or
 - (ii) a bulk interception warrant under Chapter 1 of Part 6,
 - (b) the interception is authorised by any of sections 44 to 52, or
 - (c) in the case of a communication stored in or by a telecommunication system, the interception—
 - (i) is carried out in accordance with a targeted equipment interference warrant under Part 5 or a bulk equipment interference warrant under Chapter 3 of Part 6,
 - (ii) is in the exercise of any statutory power that is exercised for the purpose of obtaining information or taking possession of any document or other property, or
 - (iii) is carried out in accordance with a court order made for that purpose.
- (2) Conduct which has lawful authority for the purposes of this Act by virtue of subsection (1)(a) or (b) is to be treated as lawful for all other purposes.
- (3) Any other conduct which—
 - (a) is carried out in accordance with a warrant under Chapter 1 of Part 2 or a bulk interception warrant, or
 - (b) is authorised by any of sections 44 to 52,

Changes to legislation: Investigatory Powers Act 2016, Section 6 is up to date with all changes known to be in force on or before 17 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

is to be treated as lawful for all purposes.

Commencement Information

II [S. 6](#) in force at 31.5.2018 by [S.I. 2018/652](#), **reg. 2(d)** (with [regs. 19\(3\)\(a\)](#), [20](#))

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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):

- Sch. 3 para. 8A and cross-heading inserted by [2023 c. 32 Sch. 18 para. 10\(2\)](#)
- Sch. 3 para. 20(2)(ha)(hb) inserted by [2023 c. 32 Sch. 18 para. 10\(3\)\(a\)](#)