



Investigatory Powers Act 2016

2016 CHAPTER 25

PART 3

AUTHORISATIONS FOR OBTAINING COMMUNICATIONS DATA

Relevant public authorities other than local authorities

70 Relevant public authorities and designated senior officers etc.

- (1) Schedule 4 (relevant public authorities and designated senior officers etc.) has effect.
- (2) A public authority listed in column 1 of the table in the Schedule is a relevant public authority for the purposes of this Part.

[^{F1}(2A) An authorisation under section 60A may be granted on the application of a relevant public authority listed in column 1 of the table only if section 60A(1)(a) is met in relation to a purpose within one of the paragraphs of section 60A(7) specified in the corresponding entry in column 2 of the table.]

- (3) In this Part “designated senior officer”, in relation to a relevant public authority listed in column 1 of the table, means an individual who holds with the authority—
 - (a) an office, rank or position specified in relation to the authority in [^{F2}column 3] of the table, or
 - (b) an office, rank or position higher than that specified in relation to the authority in [^{F3}column 3] of the table (subject to subsections (4) and (5)).
- (4) Subsection (5) applies where an office, rank or position specified in relation to a relevant public authority in [^{F4}column 3] of the table is specified by reference to—
 - (a) a particular branch, agency or other part of the authority, or
 - (b) responsibility for functions of a particular description.
- (5) A person is a designated senior officer by virtue of subsection (3)(b) only if the person—
 - (a) holds an office, rank or position in that branch, agency or part, or

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- (b) has responsibility for functions of that description.
- [^{F5}(5A) A person who is a designated senior officer of a relevant public authority by virtue of subsection (3) and an entry in column 3 of the table may grant an authorisation under section 61—
- (a) only for obtaining communications data of the kind specified in the corresponding entry in column 4 of the table,
 - (b) only if one or more paragraphs of section 61(7) is specified in the corresponding entry in column 5 of the table, and
 - (c) only if section 61(1)(a) is met in relation to a purpose within the specified paragraph or, if more than one paragraph is specified, a purpose within one of them.]
- (6) A person who is a designated senior officer of a relevant public authority by virtue of subsection (3) and an entry in [^{F6}column 3] of the table may grant an authorisation [^{F7}under section 61A]—
- (a) only for obtaining communications data of the kind specified in the corresponding entry in [^{F8}column 4] of the table, ^{F9}...
 - [^{F10}(b) only if one or more paragraphs of section 61A(7) is specified in the corresponding entry in column 6 of the table, and
 - (c) only if section 61A(1)(a) is met in relation to a purpose within the specified paragraph or, if more than one paragraph is specified, a purpose within one of them.]
- (7) Where there is more than one entry in relation to a relevant public authority in [^{F11}column 3] of the table, and a person is a designated senior officer of the authority by virtue of subsection (3) as it applies to more than one of those entries, [^{F12}subsections (5A) and (6) apply] in relation to each entry.

Textual Amendments

- F1** S. 70(2A) inserted (5.2.2019) by [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), reg. 1(4)(d)(5), **Sch. 1 para. 10(2)** (see S.I. 2019/174, reg. 2(c))
- F2** Words in s. 70(3)(a) substituted (5.2.2019) by [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), reg. 1(4)(d)(5), **Sch. 1 para. 10(3)(a)** (see S.I. 2019/174, reg. 2(c))
- F3** Words in s. 70(3)(b) substituted (5.2.2019) by [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), reg. 1(4)(d)(5), **Sch. 1 para. 10(3)(b)** (see S.I. 2019/174, reg. 2(c))
- F4** Words in s. 70(4) substituted (5.2.2019) by [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), reg. 1(4)(d)(5), **Sch. 1 para. 10(4)** (see S.I. 2019/174, reg. 2(c))
- F5** S. 70(5A) inserted (5.2.2019) by [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), reg. 1(4)(d)(5), **Sch. 1 para. 10(5)** (see S.I. 2019/174, reg. 2(c))
- F6** Words in s. 70(6) substituted (5.2.2019) by [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), reg. 1(4)(d)(5), **Sch. 1 para. 10(6)(a)(i)** (see S.I. 2019/174, reg. 2(c))
- F7** Words in s. 70(6) inserted (5.2.2019) by [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), reg. 1(4)(d)(5), **Sch. 1 para. 10(6)(a)(ii)** (see S.I. 2019/174, reg. 2(c))
- F8** Words in s. 70(6)(a) substituted (5.2.2019) by [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), reg. 1(4)(d)(5), **Sch. 1 para. 10(6)(b)** (see S.I. 2019/174, reg. 2(c))
- F9** Word in s. 70(6) omitted (5.2.2019) by virtue of [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), reg. 1(4)(d)(5), **Sch. 1 para. 10(6)(c)** (see S.I. 2019/174, reg. 2(c))
- F10** S. 70(6)(b)(c) substituted for s. 70(6)(b) (5.2.2019) by [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), reg. 1(4)(d)(5), **Sch. 1 para. 10(6)(d)** (see S.I. 2019/174, reg. 2(c))

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F11 Words in s. 70(7) substituted (5.2.2019) by [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), reg. 1(4)(d)(5), [Sch. 1 para. 10\(7\)\(a\)](#) (see S.I. 2019/174, reg. 2(c))

F12 Words in s. 70(7) substituted (5.2.2019) by [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), reg. 1(4)(d)(5), [Sch. 1 para. 10\(7\)\(b\)](#) (see S.I. 2019/174, reg. 2(c))

Commencement Information

I1 S. 70 in force at 5.2.2019 by [S.I. 2019/174](#), [reg. 2\(d\)](#)

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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\(3\)\(a\)](#)