



Investigatory Powers Act 2016

2016 CHAPTER 25

PART 3

AUTHORISATIONS FOR OBTAINING COMMUNICATIONS DATA

Local authorities

73 Local authorities as relevant public authorities

- (1) A local authority is a relevant public authority for the purposes of this Part.
- (2) In this Part “designated senior officer”, in relation to a local authority, means an individual who holds with the authority—
 - (a) the position of director, head of service or service manager (or equivalent), or
 - (b) a higher position.
- (3) A designated senior officer of a local authority may grant an authorisation for obtaining communications data only if section 61(1)(a) is met in relation to a purpose within section 61(7)(b).
- (4) The Secretary of State may by regulations amend subsection (2).
- (5) Before making regulations under subsection (4) which amend subsection (2) so as to replace an office, rank or position specified in that subsection with a lower office, rank or position, the Secretary of State must consult—
 - (a) the Investigatory Powers Commissioner, and
 - (b) each local authority to which the amendment relates.
- (6) A statutory instrument containing regulations under subsection (4) to which subsection (5) applies may not be made except in accordance with the enhanced affirmative procedure.
- (7) Sections 74 and 75 impose further restrictions in relation to the grant of authorisations by local authorities.