



Investigatory Powers Act 2016

2016 CHAPTER 25

PART 1

GENERAL PRIVACY PROTECTIONS

Prohibitions against unlawful interception

8 Civil liability for certain unlawful interceptions

- (1) An interception of a communication is actionable at the suit or instance of—
 - (a) the sender of the communication, or
 - (b) the recipient, or intended recipient, of the communication,if conditions A to D are met.
- (2) Condition A is that the interception is carried out in the United Kingdom.
- (3) Condition B is that the communication is intercepted—
 - (a) in the course of its transmission by means of a private telecommunication system, or
 - (b) in the course of its transmission, by means of a public telecommunication system, to or from apparatus that is part of a private telecommunication system.
- (4) Condition C is that the interception is carried out by, or with the express or implied consent of, a person who has the right to control the operation or use of the private telecommunication system.
- (5) Condition D is that the interception is carried out without lawful authority.
- (6) For the meaning of “interception” and other key expressions used in this section, see sections 4 to 6.

Changes to legislation: Investigatory Powers Act 2016, Section 8 is up to date with all changes known to be in force on or before 05 September 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](#)

Commencement Information

II [S. 8](#) in force at 27.6.2018 by [S.I. 2018/652](#), **reg. 7(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\(3\)\(a\)](#)