



Investigatory Powers Act 2016

2016 CHAPTER 25

PART 3

AUTHORISATIONS FOR OBTAINING COMMUNICATIONS DATA

Further and supplementary provision

86 Part 3: interpretation

(1) In this Part—

“authorisation” means an authorisation [^{F1}under section 60A, 61 or 61A]^{F2}(including sections 61 and 61A as modified by sections 78 and 80)],

“designated senior officer”—

(a) ^{F3}...

(b) in relation to any ^{F4}... relevant public authority, has the meaning given by section 70(3),

“filtering arrangements” means any arrangements under section 67(1),

“officer”, in relation to a relevant public authority, means a person holding an office, rank or position with that authority,

“relevant public authority” means a public authority which is a relevant public authority for the purposes of this Part by virtue of section 70(2) or 73(1).

(2) In this Part “local authority” means—

- (a) a district or county council in England,
- (b) a London borough council,
- (c) the Common Council of the City of London in its capacity as a local authority,
- (d) the Council of the Isles of Scilly,
- (e) a county council or county borough council in Wales,
- (f) a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994, and
- (g) a district council in Northern Ireland.

Changes to legislation: Investigatory Powers Act 2016, Section 86 is up to date with all changes known to be in force on or before 07 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

[^{F5}(2A) In this Part, “serious crime” means, in addition to crime which falls within paragraph (a) or (b) of the definition of “serious crime” in section 263(1), crime where the offence, or one of the offences, which is or would be constituted by the conduct concerned is—

- (a) an offence for which an individual who has reached the age of 18 (or, in relation to Scotland or Northern Ireland, 21) is capable of being sentenced to imprisonment for a term of 12 months or more (disregarding any enactment prohibiting or restricting the imprisonment of individuals who have no previous convictions), or
- (b) an offence—
 - (i) by a person who is not an individual, or
 - (ii) which involves, as an integral part of it, the sending of a communication or a breach of a person’s privacy.]

(3) See also—

section 261 (telecommunications definitions),
 section 262 (postal definitions),
 section 263 (general definitions),
 section 265 (index of defined expressions).

Textual Amendments

- F1** Words in s. 86(1) substituted (5.2.2019) by [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), [reg. 1\(4\)\(d\)\(5\)](#), [Sch. 1 para. 21\(2\)\(a\)](#) (see S.I. 2019/174, [reg. 2\(c\)](#))
- F2** Words in s. 86(1) inserted (17.5.2019) by [The Communications Data Acquisition Regulations 2019 \(S.I. 2019/939\)](#), [regs. 1\(2\)](#), [5](#)
- F3** Words in s. 86(1) 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. 21\(2\)\(b\)\(i\)](#) (see S.I. 2019/174, [reg. 2\(c\)](#))
- F4** Word in s. 86(1) 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. 21\(2\)\(b\)\(ii\)](#) (see S.I. 2019/174, [reg. 2\(c\)](#))
- F5** S. 86(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. 21\(3\)](#) (see S.I. 2019/174, [reg. 2\(c\)](#))

Commencement Information

- I1** S. 86 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\(3\)\(a\)](#)