



Telecommunications (Security) Act 2021

2021 CHAPTER 31

Securing compliance with security duties

9 Relationship between security duties and certain other duties etc

After section 105W of the Communications Act 2003 insert—

“105X Relationship between security duties and certain other duties etc

- (1) A security duty imposed on a provider of a public electronic communications network or a public electronic communications service does not apply in so far as compliance with the duty would—
- (a) result in a failure by the provider to comply with a duty or prohibition imposed by or under an enactment mentioned in section 105A(4);
 - (b) prevent the provider from giving effect to a warrant or authorisation that has been issued or given under an enactment mentioned in section 105A(4);
 - (c) prevent the provider from providing a person with assistance in giving effect to a warrant or authorisation that has been issued or given under an enactment mentioned in section 105A(4); or
 - (d) prevent the provider from providing a person with assistance in exercising any power conferred by or under prison rules.
- (2) In this section—
- “prison rules” has the same meaning as in section 105A;
 - “security duty” means a duty imposed by or under—
 - (a) section 96C as applied by section 105S; or
 - (b) any of sections 105A to 105D, 105I to 105K, 105L(6), (7)(c) and (8), 105N(2)(a), 105O and 105V.”