
STATUTORY INSTRUMENTS

2002 No. 1931

**The Regulation of Investigatory Powers
(Maintenance of Interception Capability) Order 2002**

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Regulation of Investigatory Powers (Maintenance of Interception Capability) Order 2002 and shall come into force on 1st August 2002.

(2) In this Order “service provider” means a person providing a public postal service or a public telecommunications service, or proposing to do so.

Interception capability

2.—(1) The Schedule to this Order sets out those obligations which appear to the Secretary of State reasonable to impose on service providers for the purpose of securing that it is and remains practicable for requirements to provide assistance in relation to interception warrants to be imposed and complied with.

(2) Subject to paragraph (3) the obligations in—

- (a) Part I of the Schedule only apply to service providers who provide, or propose to provide, a public postal service; and
- (b) Part II of the Schedule only apply to service providers who provide, or propose to provide, a public telecommunications service.

(3) The obligations in Part II of the Schedule shall not apply to service providers who—

- (a) do not intend to provide a public telecommunications service to more than 10,000 persons in any one or more parts of the United Kingdom and do not do so; or
- (b) only provide, or propose to provide, a public telecommunications service in relation to the provision of banking, insurance, investment or other financial services.

Interception capability notices

3.—(1) The Secretary of State may give a service provider a notice requiring him to take all such steps falling within paragraph (2) as may be specified or described in the notice.

(2) Those steps are ones appearing to the Secretary of State to be necessary for securing that the service provider has the practical capability of meeting the obligations set out in the Schedule to this Order.

Referral of notices to the Technical Advisory Board

4. The period within which any person to whom a notice has been given under article 3 may refer the notice to the Technical Advisory Board is specified as being before the end of 28 days from the date of the notice.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Home Office
22nd July 2002

Bob Ainsworth
Parliamentary Under-Secretary of State