
STATUTORY INSTRUMENTS

2014 No. 2042

The Data Retention Regulations 2014

PART 2

THE RETENTION NOTICE REGIME

Safeguards

Matters to be taken into account before giving retention notices

5.—(1) Before giving a retention notice, the Secretary of State must, among other matters, take into account—

- (a) the likely benefits of the notice,
- (b) the likely number of users (if known) of any telecommunications service to which the notice relates,
- (c) the technical feasibility of complying with the notice,
- (d) the likely cost of complying with the notice, and
- (e) any other impact of the notice on the public telecommunications operator (or description of operators) to whom it relates.

(2) Before giving such a notice, the Secretary of State must take reasonable steps to consult any operator to whom it relates.