
STATUTORY INSTRUMENTS

2018 No. 873

The Investigatory Powers Act 2016 (Commencement No. 7 and Transitional and Saving Provisions) Regulations 2018

Further transitional provision regarding bulk personal datasets

- 9.—(1) Paragraphs (3) to (5) apply in relation to a set of information which is—
- (a) retained by an intelligence service immediately before 22nd August 2018, or
 - (b) acquired by an intelligence service under a warrant or other authorisation listed in paragraph (2) which is in force immediately before 22nd August 2018.
- (2) The warrants or other authorisations are—
- (a) a warrant issued under Chapter 1 of Part 1 of the Regulation of Investigatory Powers Act 2000⁽¹⁾;
 - (b) an interception authorisation given under section 49 of the Wireless Telegraphy Act 2006⁽²⁾;
 - (c) a warrant issued under section 5 of the Intelligence Services Act 1994⁽³⁾;
 - (d) an authorisation given under section 7 of the Intelligence Services Act 1994⁽⁴⁾;
 - (e) a direction given under section 94 of the 1984 Act.
- (3) Section 201 (exceptions to section 200(1) or (2)) has effect as if the reference in subsection (1) to a warrant or other authorisation issued or given under this Act included a reference to—
- (a) a warrant issued under Chapter 1 of Part 1 of the Regulation of Investigatory Powers Act 2000;
 - (b) an interception authorisation given under section 49 of the Wireless Telegraphy Act 2006;
 - (c) a warrant issued under section 5 of the Intelligence Services Act 1994;
 - (d) an authorisation given under section 7 of the Intelligence Services Act 1994;
 - (e) a direction given under section 94 of the 1984 Act.
- (4) Section 220 (initial examinations: time limits) has effect as if the reference in subsection (1) to a warrant or other authorisation issued or given under this Act included a reference to—
- (a) a warrant issued under Chapter 1 of Part 1 of the Regulation of Investigatory Powers Act 2000;
 - (b) an interception authorisation given under section 49 of the Wireless Telegraphy Act 2006;
 - (c) a warrant issued under section 5 of the Intelligence Services Act 1994;
 - (d) an authorisation given under section 7 of the Intelligence Services Act 1994;
 - (e) a direction given under section 94 of the 1984 Act.

(1) 2000 c. 23.

(2) 2006 c. 36.

(3) Section 5 was amended by section 2 of the Security Service Act 1996 (c. 35), section 74(1) and (2) of the Regulation of Investigatory Powers Act 2000 and section 251(3) of the Investigatory Powers Act 2016.

(4) Section 7 was amended by section 74(3) of and Schedule 5 to the Regulation of Investigatory Powers Act 2000, section 116(1) and (2) of the Anti-Terrorism, Crime and Security Act 2001 (c. 24) and section 31(5) and (6) of the Terrorism Act 2006.

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

(5) Section 225 has effect as if the reference in subsection (1) to a warrant or other authorisation given under this Act included a reference to—

- (a) a warrant issued under Chapter 1 of Part 1 of the Regulation of Investigatory Powers Act 2000;
- (b) an interception authorisation given under section 49 of the Wireless Telegraphy Act 2006;
- (c) a warrant issued under section 5 of the Intelligence Services Act 1994;
- (d) an authorisation given under section 7 of the Intelligence Services Act 1994.