



# Investigatory Powers Act 2016

## 2016 CHAPTER 25

### PART 4

#### RETENTION OF COMMUNICATIONS DATA

##### *Enforcement*

#### **95 Enforcement of notices and certain other requirements and restrictions**

- (1) It is the duty of a telecommunications operator on whom a requirement or restriction is imposed by—
  - (a) a retention notice, or
  - (b) section 92 or 93,to comply with the requirement or restriction.
- (2) A telecommunications operator, or any person employed or engaged for the purposes of the business of a telecommunications operator, must not disclose the existence or contents of a retention notice to any other person.
- (3) The Information Commissioner, or any member of staff of the Information Commissioner, must not disclose the existence or contents of a retention notice to any other person.
- (4) Subsections (2) and (3) do not apply to a disclosure made with the permission of the Secretary of State.
- (5) The duty under subsection (1) or (2) is enforceable by civil proceedings by the Secretary of State for an injunction, or for specific performance of a statutory duty under section 45 of the Court of Session Act 1988, or for any other appropriate relief.

#### **Commencement Information**

**II** S. 95 in force at 30.12.2016 by S.I. 2016/1233, reg. 2(k)

**Changes to legislation:**

Investigatory Powers Act 2016, Cross Heading: Enforcement is up to date with all changes known to be in force on or before 25 April 2024. 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.

[View outstanding changes](#)

**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):

- s. 58(4)(e) inserted by [2023 c. 41 Sch. 13 para. 9](#)