



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.