

## SCHEDULES

### SCHEDULE 10

#### MINOR AND CONSEQUENTIAL PROVISION

#### PART 3

#### ACQUISITION OF COMMUNICATIONS DATA

##### *Regulation of Investigatory Powers Act 2000*

- 53 The Regulation of Investigatory Powers Act 2000 is amended as follows.
- 54 Omit Chapter 2 of Part 1 (acquisition and disclosure of communications data).
- 55 In section 49(1)(c) (investigation of electronic data protected by encryption etc: powers under which data obtained)—
- (a) for the words from “section 22(3)” to “Part II” substitute “Part 3 of the Investigatory Powers Act 2016 or Part 2 of this Act”, and
  - (b) for “under section 22(4)” substitute “in pursuance of an authorisation under Part 3 of the Act of 2016 or as the result of the issue of a warrant under Chapter 2 of Part 6 of the Act of 2016”.
- 56 In section 71(2) (issue and revision of codes of practice) omit “23A or”.
- 57 (1) Section 77A (procedure for order of sheriff under section 23A or 32A: Scotland) is amended as follows.
- (2) In the heading and in subsection (1)—
    - (a) for “23A” substitute “75 of the Investigatory Powers Act 2016”, and
    - (b) for “or 32A” substitute “or section 32A of this Act”.
  - (3) In subsection (3) for “sections 23B and 32B and this section” substitute “this section, section 32B of this Act and section 75 of the Investigatory Powers Act 2016”.
- 58 (1) Section 77B (procedure for order of district judge under section 23A or 32A: Northern Ireland) is amended as follows.
- (2) In the heading and in subsections (1) and (4) for “section 23A or 32A” substitute “section 32A of this Act or section 75 of the Investigatory Powers Act 2016”.
  - (3) In subsection (4) for “sections 23B and 32B” substitute “section 32B of this Act and section 75 of that Act”.
- 59 In section 78(3)(a) (affirmative orders) omit “22(9), 23A(6), 25(5),”.
- 60 In section 81(9) (general interpretation: certain references relating to Northern Ireland) omit “23A(7)(b),”.

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*Status: This is the original version (as it was originally enacted).*

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*Police Reform Act 2002*

- 61 (1) Paragraph 19ZA of Schedule 3 to the Police Reform Act 2002 (investigations by the IPCC: information notices) is amended as follows.
- (2) In sub-paragraph (3) omit—
- (a) the words from “(within the meaning of Chapter 2” to “2000)”, and
  - (b) the words “(within the meaning of that Chapter)”.
- (3) After sub-paragraph (3) insert—
- “(3A) In sub-paragraph (3) “communications data”, “postal operator” and “telecommunications operator” have the same meanings as in the Investigatory Powers Act 2016 (see sections 261 and 262 of that Act).”