



# Investigatory Powers Act 2016

## 2016 CHAPTER 25

### PART 6

#### BULK WARRANTS

#### CHAPTER 1

#### BULK INTERCEPTION WARRANTS

#### *Bulk interception warrants*

#### **137 Obtaining secondary data**

- (1) This section has effect for the purposes of this Chapter.
- (2) References to obtaining secondary data from a communication transmitted by means of a telecommunication system are references to obtaining such data—
  - (a) while the communication is being transmitted, or
  - (b) at any time when the communication is stored in or by the system (whether before or after its transmission),and references to secondary data obtained under a bulk interception warrant are to be read accordingly.
- (3) “Secondary data”, in relation to a communication transmitted by means of a telecommunication system, means any data falling within subsection (4) or (5).
- (4) The data falling within this subsection is systems data which is comprised in, included as part of, attached to or logically associated with the communication (whether by the sender or otherwise).
- (5) The data falling within this subsection is identifying data which—
  - (a) is comprised in, included as part of, attached to or logically associated with the communication (whether by the sender or otherwise),

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**Changes to legislation:** *Investigatory Powers Act 2016, Section 137 is up to date with all changes known to be in force on or before 27 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. (See end of Document for details) View outstanding changes*

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- (b) is capable of being logically separated from the remainder of the communication, and
  - (c) if it were so separated, would not reveal anything of what might reasonably be considered to be the meaning (if any) of the communication, disregarding any meaning arising from the fact of the communication or from any data relating to the transmission of the communication.
- (6) For the meaning of “systems data” and “identifying data”, see section 263.

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**Commencement Information**

**II** S. 137 in force at 31.5.2018 by S.I. 2018/652, reg. 5(b)

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[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](#)