



Investigatory Powers Act 2016

2016 CHAPTER 25

PART 1

GENERAL PRIVACY PROTECTIONS

Prohibitions against unlawful interception

6 Definition of “lawful authority”

- (1) For the purposes of this Act, a person has lawful authority to carry out an interception if, and only if—
 - (a) the interception is carried out in accordance with—
 - (i) a targeted interception warrant or mutual assistance warrant under Chapter 1 of Part 2, or
 - (ii) a bulk interception warrant under Chapter 1 of Part 6,
 - (b) the interception is authorised by any of sections 44 to 52, or
 - (c) in the case of a communication stored in or by a telecommunication system, the interception—
 - (i) is carried out in accordance with a targeted equipment interference warrant under Part 5 or a bulk equipment interference warrant under Chapter 3 of Part 6,
 - (ii) is in the exercise of any statutory power that is exercised for the purpose of obtaining information or taking possession of any document or other property, or
 - (iii) is carried out in accordance with a court order made for that purpose.
- (2) Conduct which has lawful authority for the purposes of this Act by virtue of subsection (1)(a) or (b) is to be treated as lawful for all other purposes.
- (3) Any other conduct which—
 - (a) is carried out in accordance with a warrant under Chapter 1 of Part 2 or a bulk interception warrant, or
 - (b) is authorised by any of sections 44 to 52,

Changes to legislation: Investigatory Powers Act 2016, Section 6 is up to date with all changes known to be in force on or before 26 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](#)

is to be treated as lawful for all purposes.

Commencement Information

II S. 6 in force at 31.5.2018 by S.I. 2018/652, **reg. 2(d)** (with **regs. 19(3)(a), 20**)

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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](#)