



Investigatory Powers Act 2016

2016 CHAPTER 25

PART 3

AUTHORISATIONS FOR OBTAINING COMMUNICATIONS DATA

[^{F1}Further provision about authorisations]

62 Restrictions in relation to internet connection records

[^{F1}(A1) The Investigatory Powers Commissioner may not, on the application of a local authority, grant an authorisation under section 60A for the purpose of obtaining data which is, or can only be obtained by processing, an internet connection record.

(A2) The Investigatory Powers Commissioner may not, on the application of a relevant public authority which is not a local authority, grant an authorisation under section 60A for the purpose of obtaining data which is, or can only be obtained by processing, an internet connection record unless condition A, B or C is met.]

^{F2}(1)

(2) A designated senior officer of a relevant public authority which is not a local authority may not grant an authorisation for the purpose of obtaining data which is, or can only be obtained by processing, an internet connection record unless condition A, B or C is met.

(3) Condition A is that [^{F3}the person with power to grant the authorisation] considers that it is necessary, for a purpose falling within [^{F4}section 60A(7), 61(7) or 61A(7) (as applicable)], to obtain the data to identify which person or apparatus is using an internet service where—

- (a) the service and time of use are already known, but
- (b) the identity of the person or apparatus using the service is not known.

(4) Condition B is that—

- (a) the purpose for which the data is to be obtained falls within [^{F5}section 60A(7), 61(7) or 61A(7) (as applicable)] but is not the purpose of preventing

Changes to legislation: *Investigatory Powers Act 2016, Section 62 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. (See end of Document for details) View outstanding changes*

or detecting serious crime mentioned in section 60A(8)(a), 61(7A)(a) or 61A(8)(a) or the purpose of preventing or detecting crime mentioned in section 60A(8)(b), 61(7A)(b) or 61A(8)(b),] and

- (b) [^{F6}the person with power to grant the authorisation] considers that it is necessary to obtain the data to identify—
 - (i) which internet communications service is being used, and when and how it is being used, by a person or apparatus whose identity is already known,
 - (ii) where or when a person or apparatus whose identity is already known is obtaining access to, or running, a computer file or computer program which wholly or mainly involves making available, or acquiring, material whose possession is a crime, or
 - (iii) which internet service is being used, and when and how it is being used, by a person or apparatus whose identity is already known.

(5) Condition C is that—

- [^{F7}(a) either—
 - (i) the purpose for which the data is to be obtained is the purpose of preventing or detecting serious crime mentioned in section 60A(8)(a), 61(7A)(a) or 61A(8)(a), or
 - (ii) the purpose for which the data is to be obtained is the purpose of preventing or detecting crime mentioned in section 60A(8)(b), 61(7A)(b) or 61A(8)(b) and the crime to be prevented or detected is serious crime, and]

^{F8}(b)

- (c) [^{F9}the person with power to grant the authorisation] considers that it is necessary to obtain the data to identify—
 - (i) which internet communications service is being used, and when and how it is being used, by a person or apparatus whose identity is already known,
 - (ii) where or when a person or apparatus whose identity is already known is obtaining access to, or running, a computer file or computer program which wholly or mainly involves making available, or acquiring, material whose possession is a crime, or
 - (iii) which internet service is being used, and when and how it is being used, by a person or apparatus whose identity is already known.

^{F10}(6)

(7) In this Act “internet connection record” means communications data which—

- (a) may be used to identify, or assist in identifying, a telecommunications service to which a communication is transmitted by means of a telecommunication system for the purpose of obtaining access to, or running, a computer file or computer program, and
- (b) comprises data generated or processed by a telecommunications operator in the process of supplying the telecommunications service to the sender of the communication (whether or not a person).

Changes to legislation: *Investigatory Powers Act 2016, Section 62 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. (See end of Document for details) View outstanding changes*

Textual Amendments

- F1** S. 62(A1)(A2) inserted (5.2.2019) by [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), reg. 1(4)(d)(5), [Sch. 1 para. 3\(2\)](#) (see S.I. 2019/174, reg. 2(c))
- F2** S. 62(1) omitted (5.2.2019) by virtue of [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), reg. 1(4)(d)(5), [Sch. 1 para. 3\(3\)](#) (see S.I. 2019/174, reg. 2(c))
- F3** Words in s. 62(3) substituted (5.2.2019) by [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), reg. 1(4)(d)(5), [Sch. 1 para. 3\(4\)\(a\)](#) (see S.I. 2019/174, reg. 2(c))
- F4** Words in s. 62(3) substituted (5.2.2019) by [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), reg. 1(4)(d)(5), [Sch. 1 para. 3\(4\)\(b\)](#) (see S.I. 2019/174, reg. 2(c))
- F5** Words in s. 62(4)(a) substituted (5.2.2019) by [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), reg. 1(4)(d)(5), [Sch. 1 para. 3\(5\)\(a\)](#) (see S.I. 2019/174, reg. 2(c))
- F6** Words in s. 62(4)(b) substituted (5.2.2019) by [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), reg. 1(4)(d)(5), [Sch. 1 para. 3\(5\)\(b\)](#) (see S.I. 2019/174, reg. 2(c))
- F7** S. 62(5)(a) substituted (5.2.2019) by [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), reg. 1(4)(d)(5), [Sch. 1 para. 3\(6\)\(a\)](#) (see S.I. 2019/174, reg. 2(c))
- F8** S. 62(5)(b) omitted (5.2.2019) by virtue of [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), reg. 1(4)(d)(5), [Sch. 1 para. 3\(6\)\(b\)](#) (see S.I. 2019/174, reg. 2(c))
- F9** Words in s. 62(5)(c) substituted (5.2.2019) by [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), reg. 1(4)(d)(5), [Sch. 1 para. 3\(6\)\(c\)](#) (see S.I. 2019/174, reg. 2(c))
- F10** S. 62(6) omitted (5.2.2019) by virtue of [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), reg. 1(4)(d)(5), [Sch. 1 para. 3\(7\)](#) (see S.I. 2019/174, reg. 2(c))

Commencement Information

- I1** S. 62 in force at 5.2.2019 by [S.I. 2019/174](#), [reg. 2\(d\)](#)

Changes to legislation:

Investigatory Powers Act 2016, Section 62 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](#)