



Investigatory Powers Act 2016

2016 CHAPTER 25

PART 3

AUTHORISATIONS FOR OBTAINING COMMUNICATIONS DATA

[^{F1}Further provision about authorisations]

64 Procedure for authorisations and authorised notices

(1) An authorisation must specify—

^{F1}(a)

^{F2}(aa) whether the authorisation has been granted by the Investigatory Powers Commissioner under section 60A or by a designated senior officer under section 61 or 61A;]

(b) the matters falling within [^{F3}section 60A(7), 61(7) or 61A(7) (as applicable)] by reference to which it is granted,

(c) the conduct that is authorised,

(d) the data or description of data to be obtained, and

(e) the persons or descriptions of persons to whom the data is to be, or may be, disclosed or how to identify such persons.

^{F4}(1A) An authorisation granted by a designated senior officer under section 61 or 61A must also specify the office, rank or position held by the officer.]

(2) An authorisation which authorises a person to impose requirements by notice on a telecommunications operator must also specify—

(a) the operator concerned, and

(b) the nature of the requirements that are to be imposed,

but need not specify the other contents of the notice.

(3) The notice itself—

(a) must specify—

(i) the office, rank or position held by the person giving it,

Changes to legislation: Investigatory Powers Act 2016, Section 64 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

- (ii) the requirements that are being imposed, and
 - (iii) the telecommunications operator on whom the requirements are being imposed, and
 - (b) must be given in writing or (if not in writing) in a manner that produces a record of its having been given.
- (4) An authorisation must be applied for, and granted, in writing or (if not in writing) in a manner that produces a record of its having been applied for or granted.

Textual Amendments

- F1** S. 64(1)(a) 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. 5\(2\)\(a\)](#) (see S.I. 2019/174, [reg. 2\(c\)](#))
- F2** S. 64(1)(aa) inserted (5.2.2019) by [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), [reg. 1\(4\)\(d\)\(5\)](#), [Sch. 1 para. 5\(2\)\(b\)](#) (see S.I. 2019/174, [reg. 2\(c\)](#))
- F3** Words in s. 64(1)(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. 5\(2\)\(c\)](#) (see S.I. 2019/174, [reg. 2\(c\)](#))
- F4** S. 64(1A) inserted (5.2.2019) by [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), [reg. 1\(4\)\(d\)\(5\)](#), [Sch. 1 para. 5\(3\)](#) (see S.I. 2019/174, [reg. 2\(c\)](#))

Commencement Information

- I1** S. 64 in force at 5.2.2019 by [S.I. 2019/174](#), [reg. 2\(d\)](#)

Changes to legislation:

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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](#)