



Investigatory Powers Act 2016

2016 CHAPTER 25

PART 3

AUTHORISATIONS FOR OBTAINING COMMUNICATIONS DATA

Relevant public authorities other than local authorities

71 Power to modify section 70 and Schedule 4

- (1) The Secretary of State may by regulations modify section 70 or Schedule 4.
- (2) Regulations under subsection (1) may in particular—
 - (a) add a public authority to, or remove a public authority from, the list in column 1 of the table,
 - (b) modify an entry in column 2 of the table,
 - (c) impose or remove restrictions on the authorisations that may be granted ^{F1}...,
 - (d) impose or remove restrictions on the circumstances in which or purposes for which [^{F2}the authorisations may be granted].
- [^{F3}(2A) Regulations adding a public authority to, or removing a public authority from, the list in column 1 of the table may do so in relation to all or any of the following—
 - (a) authorisations under section 60A by the Investigatory Powers Commissioner;
 - (b) authorisations by a designated senior officer under section 61;
 - (c) authorisations by a designated senior officer under section 61A.]
- (3) The power to make regulations under subsection (1) includes power to make such modifications in any enactment (including this Act) as the Secretary of State considers appropriate in consequence of a person becoming, or ceasing to be, a relevant public authority [^{F4}(in relation to one or more of the authorisations mentioned in subsection (2A))] because of regulations under that subsection.

Changes to legislation: Investigatory Powers Act 2016, Section 71 is up to date with all changes known to be in force on or before 24 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** Words in s. 71(2)(c) 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. 11\(2\)\(a\)](#) (see S.I. 2019/174, reg. 2(c))
- F2** Words in s. 71(2)(d) substituted (5.2.2019) by [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), reg. 1(4)(d)(5), [Sch. 1 para. 11\(2\)\(b\)](#) (see S.I. 2019/174, reg. 2(c))
- F3** S. 71(2A) inserted (5.2.2019) by [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), reg. 1(4)(d)(5), [Sch. 1 para. 11\(3\)](#) (see S.I. 2019/174, reg. 2(c))
- F4** Words in s. 71(3) inserted (5.2.2019) by [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), reg. 1(4)(d)(5), [Sch. 1 para. 11\(4\)](#) (see S.I. 2019/174, reg. 2(c))

Commencement Information

- I1** S. 71 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](#)