



Investigatory Powers Act 2016

2016 CHAPTER 25

PART 4

RETENTION OF COMMUNICATIONS DATA

Enforcement

95 Enforcement of notices and certain other requirements and restrictions

- (1) It is the duty of a telecommunications operator on whom a requirement or restriction is imposed by—
 - (a) a retention notice, or
 - (b) section 92 or 93,to comply with the requirement or restriction.
- (2) A telecommunications operator, or any person employed or engaged for the purposes of the business of a telecommunications operator, must not disclose the existence or contents of a retention notice to any other person.
- (3) The Information Commissioner, or any member of staff of the Information Commissioner, must not disclose the existence or contents of a retention notice to any other person.
- (4) Subsections (2) and (3) do not apply to a disclosure made with the permission of the Secretary of State.
- (5) The duty under subsection (1) or (2) is enforceable by civil proceedings by the Secretary of State for an injunction, or for specific performance of a statutory duty under section 45 of the Court of Session Act 1988, or for any other appropriate relief.

Commencement Information

II S. 95 in force at 30.12.2016 by S.I. 2016/1233, reg. 2(k)

Changes to legislation:

Investigatory Powers Act 2016, Section 95 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](#)