

2018 No. 355

INVESTIGATORY POWERS

The Investigatory Powers (Codes of Practice) Regulations 2018

Made - - - - *8th March 2018*

Coming into force in accordance with regulation 1

The Secretary of State makes the following Regulations in exercise of the power conferred by paragraph 4(3) of Schedule 7 to the Investigatory Powers Act 2016^(a).

In accordance with paragraph 4(1) of that Schedule, the Secretary of State has prepared and published drafts of the codes of practice brought into force by these Regulations, considered representations made about them and modified the drafts.

In accordance with paragraph 4(2) of that Schedule, the Secretary of State has consulted the Investigatory Powers Commissioner.

In accordance with paragraph 4(4) of that Schedule, a draft of these Regulations was laid before Parliament and approved by a resolution of each House of Parliament.

In accordance with paragraph (4)(5) of that Schedule, when a draft of these Regulations was laid before Parliament, the codes of practice brought into force by these Regulations were also laid.

Citation and commencement

1. These Regulations may be cited as the Investigatory Powers (Codes of Practice) Regulations 2018 and come into force on the day after the day on which they are made.

Codes of practice

2. The following codes of practice laid before Parliament on 18th December 2017 come into force on the day these Regulations come into force—

- (a) the code of practice entitled “Bulk Acquisition of Communications Data”;
- (b) the code of practice entitled “Equipment Interference”;
- (c) the code of practice entitled “Interception of Communications”;
- (d) the code of practice entitled “National Security Notices”, and
- (e) the code of practice entitled “Intelligence Services’ Retention and Use of Bulk Personal Datasets”.

^(a) 2016 c. 25.

8th March 2018

Ben Wallace
Minister of State
Home Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force five codes of practice issued under paragraph 1(1) of Schedule 7 to the Investigatory Powers Act 2016 (c. 25) (“the Act”). The codes of practice come into force on the day on which these Regulations come into force.

The code of practice entitled “Bulk Acquisition of Communications Data” is about the exercise of functions conferred by Chapter 2 of Part 6 of the Act. The code of practice entitled “Equipment Interference” is about the exercise of functions conferred by Part 5 and Chapter 3 of Part 6 of the Act. The code of practice entitled “Interception of Communications” is about the exercise of functions conferred by Part 2 and Chapter 1 of Part 6 of the Act. The code of practice entitled “National Security Notices” is about the exercise of functions relating to national security notices, which may be given under section 252 of the Act. The code of practice entitled “Intelligence Services’ Retention and Use of Bulk Personal Datasets” is about the exercise of functions conferred by Part 7 of the Act.

The codes of practice will be published by the Stationery Office and copies may be obtained from the Stationery Office bookshops or online shop. The codes of practice will also be available on the Investigatory Powers Act 2016 codes of practice pages on the gov.uk website.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

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£4.25

UK201803121017 03/2018 19585

<http://www.legislation.gov.uk/id/uksi/2018/355>

ISBN 978-0-11-116726-7



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