



Investigatory Powers Act 2016

2016 CHAPTER 25

PART 6

BULK WARRANTS

CHAPTER 2

BULK ACQUISITION WARRANTS

Restrictions on use or disclosure of data obtained under warrants etc.

173 Offence of breaching safeguards relating to examination of data

- (1) A person commits an offence if—
- (a) the person selects for examination any communications data obtained under a bulk acquisition warrant,
 - (b) the person knows or believes that the selection of that data for examination does not comply with a requirement imposed by section 172, and
 - (c) the person deliberately selects that data for examination in breach of that requirement.
- (2) A person guilty of an offence under this section is liable—
- (a) on summary conviction in England and Wales—
 - (i) to imprisonment for a term not exceeding 12 months (or 6 months, if the offence was committed before the commencement of section 154(1) of the Criminal Justice Act 2003), or
 - (ii) to a fine,or to both;
 - (b) on summary conviction in Scotland—
 - (i) to imprisonment for a term not exceeding 12 months, or
 - (ii) to a fine not exceeding the statutory maximum,

Status: Point in time view as at 22/08/2018. This version of this provision has been superseded.

Changes to legislation: Investigatory Powers Act 2016, Section 173 is up to date with all changes known to be in force on or before 26 July 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)

- or to both;
 - (c) on summary conviction in Northern Ireland—
 - (i) to imprisonment for a term not exceeding 6 months, or
 - (ii) to a fine not exceeding the statutory maximum,or to both;
 - (d) on conviction on indictment, to imprisonment for a term not exceeding 2 years or to a fine, or to both.
- (3) No proceedings for any offence which is an offence by virtue of this section may be instituted—
- (a) in England and Wales, except by or with the consent of the Director of Public Prosecutions;
 - (b) in Northern Ireland, except by or with the consent of the Director of Public Prosecutions for Northern Ireland.

Commencement Information

II S. 173 in force at 22.8.2018 by S.I. 2018/873, reg. 3(b) (with reg. 7)

Status:

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