



# 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,

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*Status: This is the original version (as it was originally enacted).*

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- 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.