



Investigatory Powers Act 2016

2016 CHAPTER 25

PART 3

AUTHORISATIONS FOR OBTAINING COMMUNICATIONS DATA

Relevant public authorities other than local authorities

72 Certain regulations under section 71: supplementary

- (1) This section applies to regulations under section 71 other than regulations which do only one or both of the following—
 - (a) remove a public authority from the list in column 1 of the table in Schedule 4 [^{F1}(in relation to one or more of the authorisations mentioned in section 71(2A))] and make consequential modifications,
 - (b) modify [^{F2}column 3] of the table in a way that does not involve replacing an office, rank or position specified in that column in relation to a particular public authority with a lower office, rank or position in relation to the same authority.
- (2) Before making regulations to which this section applies, the Secretary of State must consult—
 - (a) the Investigatory Powers Commissioner, and
 - (b) the public authority to which the modifications relate.
- (3) A statutory instrument containing regulations to which this section applies may not be made except in accordance with the enhanced affirmative procedure.

Textual Amendments

- F1** Words in s. 72(1)(a) inserted (5.2.2019) by [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), reg. 1(4)(d)(5), [Sch. 1 para. 12\(a\)](#) (see S.I. 2019/174, reg. 2(c))
- F2** Words in s. 72(1)(b) substituted (5.2.2019) by [The Data Retention and Acquisition Regulations 2018 \(S.I. 2018/1123\)](#), reg. 1(4)(d)(5), [Sch. 1 para. 12\(b\)](#) (see S.I. 2019/174, reg. 2(c))

Status: Point in time view as at 05/02/2019.

Changes to legislation: Investigatory Powers Act 2016, Section 72 is up to date with all changes known to be in force on or before 05 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)

Commencement Information

II S. 72 in force at 5.2.2019 by [S.I. 2019/174](#), **reg. 2(d)**

Status:

Point in time view as at 05/02/2019.

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