



Investigatory Powers Act 2016

2016 CHAPTER 25

PART 3

AUTHORISATIONS FOR OBTAINING COMMUNICATIONS DATA

Local authorities

VALID FROM 05/02/2019

73 Local authorities as relevant public authorities

- (1) A local authority is a relevant public authority for the purposes of this Part.
- (2) In this Part “designated senior officer”, in relation to a local authority, means an individual who holds with the authority—
 - (a) the position of director, head of service or service manager (or equivalent), or
 - (b) a higher position.
- (3) A designated senior officer of a local authority may grant an authorisation for obtaining communications data only if section 61(1)(a) is met in relation to a purpose within section 61(7)(b).
- (4) The Secretary of State may by regulations amend subsection (2).
- (5) Before making regulations under subsection (4) which amend subsection (2) so as to replace an office, rank or position specified in that subsection with a lower office, rank or position, the Secretary of State must consult—
 - (a) the Investigatory Powers Commissioner, and
 - (b) each local authority to which the amendment relates.
- (6) A statutory instrument containing regulations under subsection (4) to which subsection (5) applies may not be made except in accordance with the enhanced affirmative procedure.

Status: Point in time view as at 07/11/2018. This version of this provision is not valid for this point in time.

Changes to legislation: Investigatory Powers Act 2016, Section 73 is up to date with all changes known to be in force on or before 06 August 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)

(7) Sections 74 and 75 impose further restrictions in relation to the grant of authorisations by local authorities.

Status:

Point in time view as at 07/11/2018. This version of this provision is not valid for this point in time.

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