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STATUTORY INSTRUMENTS

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**2010 No. 480**

**The Regulation of Investigatory Powers  
(Communications Data) Order 2010**

**Restrictions on the granting of authorisations or the giving of notices**

**6.—(1)** — The only authorisation that may be granted and the only notice that may be given by an individual falling within any of paragraphs (2) to (7) below is restricted as set out in the paragraph in question.

(2) Subject to paragraph (3), in the case of an individual—

- (a) holding an office, rank or position which is listed in column (2) of Schedule 1 or of Part 1 of Schedule 2, and
- (b) who believes that the authorisation or notice is necessary on grounds other than those set out in section 22(2)(a), (b), (c) or (g) of the Act or article 2,

the authorisation or notice may only be in respect of communications data that falls within section 21(4)(c) of the Act.

(3) The restriction in paragraph (2) shall not apply in the case of an individual holding an office, rank or position with the Air Accident Investigation Branch, the Marine Accident Investigation Branch or the Rail Accident Investigation Branch.

(4) In the case of an individual holding an office, rank or position which is listed in column (2) of Part 2 of Schedule 2, the authorisation or notice may be only in respect of communications data that falls within—

- (a) section 21(4)(c) of the Act where the individual believes that it is necessary on grounds other than those set out in section 22(2)(a), (b), (c) or (g) of the Act or article 2, or
- (b) in any other case, section 21(4)(b) or (c) of the Act.

(5) In the case of an individual—

- (a) holding an office, rank or position which is listed in column (2) of Part 3 of Schedule 2, and
- (b) who believes that the authorisation or notice is necessary on grounds other than those set out in section 22(2)(a), (b), (c) or (g) of the Act or article 2,

the authorisation or notice may only be in respect of communications data which relates to a postal service and falls within section 21(4)(c) of the Act.

(6) In the case of an individual—

- (a) holding an office, rank or position which is listed in column (2) of Part 3 of Schedule 2, and
- (b) who believes that the authorisation or notice is necessary on the grounds set out in section 22(2)(a), (b),(c) or (g) of the Act or article 2,

the authorisation or notice may only be in respect of communications data which relates to a postal service.

(7) In the case of an individual holding an office, rank or position which is listed in column (3) of Schedule 1 or 2, the authorisation or notice may be only in respect of communications data that falls within section 21(4)(c) of the Act.