STATUTORY INSTRUMENTS

2017 No. 137 (C. 13)

INVESTIGATORY POWERS

The Investigatory Powers Act 2016 (Commencement No. 2 and Transitory Provision) Regulations 2017

Made - - - - 9th February 2017

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 270(2) and 272(1) of the Investigatory Powers Act 2016(**1**).

Citation and interpretation

1.—(1) These Regulations may be cited as the Investigatory Powers Act 2016 (Commencement No. 2 and Transitory Provision) Regulations 2017.

(2) In these Regulations "the 2016 Act" means the Investigatory Powers Act 2016.

Appointed Day

2. The following provisions of the 2016 Act come into force on 13th February 2017—

(a) section 1 (overview of Act);

(b) section 227 (Investigatory Powers Commissioner and other Judicial Commissioners);

(c) section 228 (terms and conditions of appointment);

(d) section 229(6) and (7) (requirement that a Judicial Commissioner must not act in certain ways);

(e) the definition of "police force" in section 229(9) (definitions in section 229) and section 60(1) for the purpose of the definition of "police force" in section 229(9);

(f) section 230 (additional directed oversight functions);

(g) section 232 (additional functions under this Part);

(h) section 233(1) (functions under other Parts and other enactments) so far as it relates to functions exercisable by virtue of any other Part of the 2016 Act;

(i) section 234(1), (2)(g) to (i) and (3) to (9) (annual and other reports);

(j) section 235(1) to (4) and (7) (investigation and information powers);

(k) section 237 (information gateway);

(**1**) 2016 c. 25.

(l) section 238 (funding, staff and facilities etc.), other than subsection (6)(b) and (c);

(m) section 239 (power to modify functions);

(n) section 241 (codes of practice);

(o) section 246 (Technology Advisory Panel);

(p) section 247 (members of the Panel);

(q) section 250 (power to develop compliance systems etc.);

(r) section 251 (amendments of the Intelligence Services Act 1994);

(s) section 253(3) to (6) (regulations specifying obligations that may be imposed by a technical capability notice);

(t) Schedule 7 (codes of practice).

Transitory Provision

3. From 13th February 2017 until section 245 of the 2016 Act (Technical Advisory Board) comes into force, the reference to the "Technical Advisory Board" in section 253(6)(a) of the 2016 Act is to be read as a reference to the Technical Advisory Board within the meaning of section 13 of the Regulation of Investigatory Powers Act 2000(**2**).

Ben Wallace
Minister of State
Home Office

9th February 2017

(**2**) 2000 c. 23.