DRAFT STATUTORY INSTRUMENTS

2003 No.

INVESTIGATORY POWERS

Retention of Communications Data (Code of Practice) Order 2003

Made - - - -	*2003*
Coming into force - -	*2003*

Whereas—

(1) in pursuance of section 102(1) of the Anti-terrorism, Crime and Security Act 2001(**1**) ("the 2001 Act") the Secretary of State is under a duty to issue a code of practice containing provisions relating to the retention by communications providers of communications data obtained by or held by them;

(2) in pursuance of section 103(2) of the 2001 Act the Secretary of State has consulted with the Information Commissioner and the communications providers to whom the code will apply;

(3) in pursuance of section 103(1) of the 2001 Act the Secretary of State has prepared and published the code in the form of a draft and has considered representations made to him about the draft and modified the draft accordingly;

(4) in pursuance of section 103(4) of the 2001 Act the Secretary of State has laid that draft code before both Houses of Parliament; and

(5) a draft of this Order has been laid before Parliament and approved by a resolution of each House:

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by section 103(5) of the 2001 Act, hereby makes the following Order:

Citation and commencement

1. The Order may be cited as the Retention of Communications Data (Code of Practice) Order 2003 and shall come into force on the day after the day on which it is made.

Retention of Communications Data Code of Practice

2. The draft code of practice entitled "Voluntary Retention of Communications Data under Part 11: Anti-terrorism, Crime and Security Act 2001—Voluntary Code of Practice", laid before each House of Parliament on 11th September 2003, relating to the retention by communications providers

(**1**) 2001 c. 24.