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STATUTORY INSTRUMENTS

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**2003 No. 3173**

**INVESTIGATORY POWERS**

The Retention of Communications Data  
(Extension of Initial Period) Order 2003

*Made - - - - 4th December 2003*

*Coming into force - - 5th December 2003*

Whereas a draft of this Order has been laid before Parliament and approved by resolution of each House;

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by section 105(3) of the Anti-terrorism, Crime and Security Act 2001(1), hereby makes the following Order:

1. This Order may be cited as the Retention of Communications Data (Extension of Initial Period) Order 2003 and shall come into force on the day after the day on which it is made.

2. The initial period specified in section 105(2) of the Anti-terrorism, Crime and Security Act 2001 shall be extended for the period of two years beginning with the time when that period would end but for the making of this Order.

Home Office  
4th December 2003

*Caroline Flint*  
Parliamentary Under-Secretary of State

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

Section 105(1) of the Anti-terrorism, Crime and Security Act 2001 provides that section 104 of that Act (which confers on the Secretary of State the power to give directions about retention of communications data) shall cease to have effect at the end of the initial period unless the powers in section 104 had been exercised during that period. Section 105(2) defines the initial period as the period of two years beginning with the day on which that Act was passed (14th December 2001). This Order exercises the power in section 105(3) to extend the initial period for a period of two years beginning with the time at which that period would otherwise end.