
STATUTORY INSTRUMENTS

2017 No. 859

**The Investigatory Powers Act 2016
(Commencement No. 3 and Transitory, Transitional
and Saving Provisions) Regulations 2017**

PART 2

Investigatory Powers Commissioner: transitory, transitional and saving provisions

Saving provisions regarding oversight

6.—(1) The following provisions continue to have effect in relation to conduct taking place before the coming into force of these Regulations—

- (a) sections 57(2), (4) and (4A) (Interception of Communications Commissioner)(**1**), 59(2) and (4) (Intelligence Services Commissioner)(**2**), 59A(1) and (2) (Additional functions of the Intelligence Services Commissioner)(**3**) and 62(1) to (2A) (Additional functions of Chief Surveillance Commissioner)(**4**) of RIPA;
 - (b) section 107(1) of the 1997 Act (supplementary provisions relating to Commissioners), and
 - (c) section 21(1) and (4) of RIPSAs (functions of Chief Surveillance Commissioner).
- (2) In continuing to have effect by virtue of paragraph (1) —
- (a) section 57(2), (4) and (4A) of RIPA is to be read as if for “Interception of Communications Commissioner” there were substituted “Investigatory Powers Commissioner”;
 - (b) section 59(2) and (4) of RIPA is to be read as if for “Intelligence Services Commissioner” there were substituted “Investigatory Powers Commissioner”;
 - (c) section 59A(1) and (2) is to be read as if for “Intelligence Services Commissioner” there were substituted “Investigatory Powers Commissioner”
 - (d) section 62(1) to (2A) of RIPA is to be read as if for “Chief Surveillance Commissioner” there were substituted “Investigatory Powers Commissioner”;
 - (e) section 21(1) and (4) of RIPSAs is to be read as if for “Chief Surveillance Commissioner” there were substituted “Investigatory Powers Commissioner”, and
 - (f) section 107(1) of the 1997 Act is to be read as if for “Chief Commissioner” there were substituted “Investigatory Powers Commissioner”.

(3) A direction given under section 59A which is in force immediately before the coming into force of these Regulations continues to have effect in relation to conduct taking place before the coming into force of these Regulations as if given to the Investigatory Powers Commissioner.

(1) Section 57 was amended by paragraphs 30(1) and (2)(a) of Schedule 17 to the Constitutional Reform Act 2005 (c. 4), paragraphs 6 and 10 of Schedule 9 to the Protection of Freedoms Act 2012 (c. 9), and S.I. 2000/3253.
(2) Section 59(2) was amended by S.I. 2000/3253.
(3) Section 59A was inserted by section 5 of the Justice and Security Act 2013 (c. 18).
(4) Section 62(2A) was amended by paragraph 11 of Schedule 9 to the Protection of Freedoms Act 2012.

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