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*Changes to legislation: There are currently no known outstanding effects for the Psychoactive Substances Act 2016, Cross Heading: Exception for caching. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 4

#### PROVIDERS OF INFORMATION SOCIETY SERVICES

##### PART 1

##### OFFERING TO SUPPLY A PSYCHOACTIVE SUBSTANCE

###### *Exception for caching*

- 4 (1) A service provider does not commit an offence under section 5(2) by storing information provided by a recipient of the service for transmission in a communication network if the first and second conditions are met.
- (2) The first condition is that the storage of the information—
- (a) is automatic, intermediate and temporary, and
  - (b) is solely for the purpose of making more efficient the onward transmission of the information to other recipients of the service at their request.
- (3) The second condition is that the service provider—
- (a) does not modify the information,
  - (b) complies with any conditions attached to having access to the information, and
  - (c) if sub-paragraph (4) applies, promptly removes the information or disables access to it.
- (4) This sub-paragraph applies if the service provider obtains actual knowledge that—
- (a) the information at the initial source of the transmission has been removed from the network,
  - (b) access to it has been disabled, or
  - (c) a court or administrative authority has ordered the removal from the network of, or the disablement of access to, the information.

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#### **Commencement Information**

**II** Sch. 4 para. 4 in force at 26.5.2016 by S.I. 2016/553, reg. 2

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Cross Heading: Exception for caching.