

SCHEDULES

SCHEDULE 14

SPECIAL RULES RELATING TO PROVIDERS OF INFORMATION SOCIETY SERVICES

Domestic service providers: extension of liability

- 1 (1) This paragraph applies where a service provider is established in England and Wales or Northern Ireland (a “domestic service provider”).
- (2) Section 63(1) applies to a domestic service provider who—
 - (a) is in possession of an extreme pornographic image in an EEA state other than the United Kingdom, and
 - (b) is in possession of it there in the course of providing information society services,as well as to persons (of any description) who are in possession of such images in England and Wales or Northern Ireland.
- (3) In the case of an offence under section 63, as it applies to a domestic service provider by virtue of sub-paragraph (2)—
 - (a) proceedings for the offence may be taken at any place in England and Wales or Northern Ireland, and
 - (b) the offence may for all incidental purposes be treated as having been committed at any such place.
- (4) Nothing in this paragraph is to be read as affecting the operation of any of paragraphs 3 to 5.