

SCHEDULE

PART 2

Modifications to the provisions of Part 1 of the 1988 Act applied by this Order

23. Section 97A(1) applies—

- (a) with the substitution for “the High Court (or in Scotland the Court of Session)” of “the Grand Court referred to in section 84 of the Constitution of the Cayman Islands”;
- (b) with the substitution for “regulation 6(1)(c) of the Electronic Commerce (EC Directive) Regulations 2002 (SI 2002/2013)” of “such law as may for the time being be in force in relation to the giving of notices.”;
- (c) with the substitution for subsection (3) of—

“(3) In this section—

- (a) a “service provider” is a person who provides any service normally provided for remuneration, at a distance, by electronic means and at the individual request of a recipient of services; and
- (b) for the purposes of paragraph (a), a service is provided—
 - (i) “at a distance” where the provider of the service and the recipient of the service are not simultaneously present;
 - (ii) “by “electronic means” where that service is sent initially and received at its destination by means of electronic equipment for the processing (including digital compression) and storage of data, and entirely transmitted, conveyed and received by wire, by radio, by optical means or by other electromagnetic means; and
 - (iii) “at the individual request of a recipient of services” where the service is provided through the transmission of data on individual request.”.

(1) Section 97A was inserted by S.I. 2003/2498, regulations 3 and 27(1).