



Digital Economy Act 2017

2017 CHAPTER 30

PART 3

ONLINE PORNOGRAPHY

- 24 No power to give notice under section 23(1) where detrimental to national security etc**
- (1) Before giving a notice under section 23(1) requiring an internet service provider to—
- (a) take steps referred to in section 23(2)(c)(i), or
 - (b) put in place arrangements referred to in section 23(2)(c)(ii),
- the regulator must consider whether the steps or arrangements would be likely to be detrimental to a matter mentioned in subsection (3).
- (2) The regulator may not give a notice under section 23(1) where it appears to the regulator that the steps or arrangements would be likely to be detrimental to any of those matters.
- (3) The matters are—
- (a) national security;
 - (b) the prevention or detection of serious crime, within the meaning given in section 263(1) of the Investigatory Powers Act 2016;
 - (c) the prevention or detection of an offence listed in Schedule 3 to the Sexual Offences Act 2003.