

*These notes refer to the Justice Act (Northern Ireland)  
2016 (c.21) which received Royal Assent on 12 May 2016*

# Justice Act (Northern Ireland) 2016

---

## EXPLANATORY NOTES

### SCHEDULES

#### *Schedule 4*

#### **Private sexual photographs etc: Providers of Information Society Services**

##### *Paragraph 1: Exceptions for mere conduits*

This paragraph sets out when a service provider is not capable of being guilty of an offence under Section 51.

The circumstances are where the information society service provided consists of the provision of access to a communication network or the transmission in a communication network of information provided by a recipient of the service. In such circumstances the service provider is not capable of being guilty of an offence if it does not initiate the transmission, select the recipient of the transmission or select or modify the information contained in the transmission.

A service provider is, however, capable of being guilty of an offence if it stores the information for longer than is reasonably necessary for the transmission.