
SCOTTISH STATUTORY INSTRUMENTS

2020 No. 339

**The Criminal Justice (EU Exit) (Scotland)
(Amendment etc.) Regulations 2020**

PART 7

Directive 2000/31/EC on certain legal aspects of information society services, in particular electronic commerce in the Internal Market (Directive on electronic commerce)

Extreme Pornography

Amendment of the Extreme Pornography (Electronic Commerce Directive) (Scotland) Regulations 2011

19.—(1) The Extreme Pornography (Electronic Commerce Directive) (Scotland) Regulations 2011(1) are amended as follows.

(2) In regulation 2 (interpretation)—

(a) in paragraph (2)(a)—

- (i) omit “in a particular part of the United Kingdom or”,
- (ii) omit “that part of the United Kingdom or”,
- (iii) after “is a national of”, insert “the United Kingdom or”,

(b) after paragraph (2), insert—

“(3) For the purposes of paragraph (2)(a)—

(a) “a national of the United Kingdom” means—

- (i) a British citizen,
- (ii) a person who is a British subject by virtue of Part 4 of the British Nationality Act 1981 and who has a right of abode in the United Kingdom, or
- (iii) a person who is a British overseas territories citizen by virtue of a connection with Gibraltar,

(b) Article 54 of the Treaty on the Functioning of the European Union is to be read as if the United Kingdom were a member state.”.

(3) In regulation 3 (non-UK service providers – restriction on institution of proceedings), in paragraph (4), omit “other than the United Kingdom”.