

*Status: Point in time view as at 06/04/2010.*

*Changes to legislation: There are currently no known outstanding effects for the Coroners and Justice Act 2009, Cross Heading: Exception for hosting. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 13

#### PROHIBITED IMAGES: PROVIDERS OF INFORMATION SOCIETY SERVICES

##### *Exception for hosting*

- 5 (1) A service provider is not capable of being guilty of an offence under section 62(1) in respect of anything done in the course of providing so much of an information society service as consists in the storage of information provided by a recipient of the service if—
- (a) the service provider had no actual knowledge when the information was provided that it contained offending material, or
  - (b) on obtaining actual knowledge that the information contained offending material, the service provider expeditiously removed the information or disabled access to it.
- (2) “Offending material” means material the possession of which constitutes an offence under section 62(1).
- (3) Sub-paragraph (1) does not apply if the recipient of the service is acting under the authority or control of the service provider.

#### **Commencement Information**

**II** Sch. 13 para. 5 in force at 6.4.2010 by S.I. 2010/816, art. 2, Sch. para. 16

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