
Changes to legislation: Coroners and Justice Act 2009, Paragraph 5 is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 11A and cross-heading inserted by [2023 c. 41 Sch. 11 para. 1\(1\)](#)
- Sch. 1A inserted by [2023 c. 41 Sch. 11 para. 1\(2\)](#)