

Changes to legislation: There are currently no known outstanding effects for the Psychoactive Substances Act 2016, Paragraph 11. (See end of Document for details)

SCHEDULES

SCHEDULE 4

PROVIDERS OF INFORMATION SOCIETY SERVICES

PART 3

INTERPRETATION

- 11 (1) A service provider is “established” [^{F1}in a particular EEA state] if the service provider—
- (a) effectively pursues an economic activity using a fixed establishment in [^{F2}that EEA state] for an indefinite period, and
 - (b) is a national of an EEA state or a company or firm mentioned in Article 54 of the Treaty on the Functioning of the European Union.
- (2) The presence or use in a particular place of equipment or other technical means of providing an information society service does not, of itself, constitute the establishment of a service provider.
- (3) Where it cannot be determined from which of a number of establishments a given information society service is provided, that service is to be regarded as provided from the establishment at the centre of the service provider's activities relating to that service.

Textual Amendments

- F1** Words in Sch. 4 para. 11(1) substituted (31.12.2020) by [The Law Enforcement and Security \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/742), regs. 1, [17\(3\)\(g\)\(i\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in Sch. 4 para. 11(1)(a) substituted (31.12.2020) by [The Law Enforcement and Security \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/742), regs. 1, [17\(3\)\(g\)\(ii\)](#); 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

- I1** Sch. 4 para. 11 in force at 26.5.2016 by [S.I. 2016/553](#), [reg. 2](#)

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